

The Library of Congress'

***EARLY STATE RECORDS PROJECT***

converted from the original microfilm held by the  
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL  
OF THE  
SENATE  
OF  
THE STATE OF IDAHO  
THIRD SESSION.

CONVENED ON THE SEVENTH DAY OF JANUARY AND AD-  
JOURNED ON THE NINTH DAY OF MARCH, 1895.

AT  
BOISE CITY, IDAHO.

PUBLISHED BY AUTHORITY

LIBRARY OF CONGRESS,  
RECEIVED

MAR 8 1902

DIVISION OF DOCUMENTS

1895.  
STATESMAN PRINTING CO.  
BOISE, IDAHO.

JOURNAL

297

OF THE

SENATE

OF

THE STATE OF IDAHO

THIRD SESSION.

CONVENED ON THE SEVENTH DAY OF JANUARY AND AD-  
JOURNED ON THE NINTH DAY OF MARCH, 1895.

AT

BOISE CITY, IDHAO

---

PUBLISHED BY AUTHORITY.

---

1895.  
STATESMAN PRINTING CO.  
BOISE, IDAHO.

J87  
I2  
1895b

YANKEE JET  
2235000 70

JOURNAL  
OF THE  
IDAHO LEGISLATURE.

THIRD SESSION.

IN THE SENATE.

MONDAY—FIRST DAY.

SENATE CHAMBER,

BOISE CITY, IDAHO, January 7th, 1895.

Promptly at the hour of 12 o'clock noon, on Monday, January 7th, 1895, being the day and hour designated in the Constitution for the meeting of the Legislature of the State of Idaho, Hon. F. J. Mills, Lieutenant Governor, called to order the Senators-elect for the Third Session of the Idaho Legislature.

The Honorable James F. Curtis, Secretary of the State of Idaho, presented to the Lieutenant Governor the following list of the State Senators-elect, duly certified:

STATE OF IDAHO, EXECUTIVE DEPARTMENT,

SECRETARY'S OFFICE.

I, James F. Curtis, Secretary of State of the State of Idaho, do hereby certify that the annexed is a full, true and complete transcript of the list of State Senators of the Third Legislature of the State of Idaho, as certified to me by the Board of State Canvassers on the 1st day of December, A. D. 1894.

In witness whereof, I have hereunto set my hand, and affixed the Great Seal of the State. Done at Boise the Capital of Idaho, [SEAL] this 7th day of January, 1895, and of independence of the United States of America, the one hundred and nineteenth.

JAMES F. CURTIS, Secretary of State.

STATE SENATORS OF THE THIRD LEGISLATURE OF THE STATE OF IDAHO.

*Ada and Canyon Counties*—Alexander S. Robertson, John W. Cunningham.

*Alturas County*—William H. Watt.

*Bear Lake, Bingham, Bannock, Fremont and Oneida Counties*—George C. Parkinson.

*Bingham, Bannock and Fremont Counties*—Ruel Rounds.

*Boise County*—Charles A. Myer.

*Cassia and Owyhee Counties*—E. H. Dewey.

*Custer County*—James Hanrahan.

*Elmore County*—George D. Golden.

*Kootenai and Latah Counties*—Robert S. Brown.

*Latah County*—Tannis E. Miller.

*Lemhi County*—John E. Rees.

*Logan County*—Vincent Bierbower.

*Nez Perce and Idaho Counties*—Cassius M. Day.

*Nez Perce and Latah Counties*—Henry Heitfeld.

*Shoshone County*—Edward Boyce, John E. Steen.

*Washington County*—Gilbert F. Smith.

The certificates of election of the Senators-elect were duly presented and filed by the Secretary of State.

#### TEMPORARY SECRETARY.

No objection being offered, Capt. J. M. Wells, of Kootenai county, was appointed temporary secretary.

#### ROLL CALL.

The temporary secretary, by the direction of President Mills, called the roll of the Senators-elect, and the following Senators answered to their names:

Bierbower, Boyce, Browne, Cunningham, Dewey, Day, Golden, Heitfeld, Myer, Miller, Parkinson, Robertson, Rounds, Rees, Steen, Smith, and Watt.

Absent—Senator Hanrahan.

#### OATH OF OFFICE.

President Mills then appointed Senators Golden and Miller to wait on the Chief Justice, Honorable J. T. Morgan, and inform him that the Senators-elect were ready to take their oath of office.

Chief Justice J. T. Morgan administered the oath of office to the Senators-elect (*present*), as follows:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Idaho and that I will faithfully discharge the duties of Senator, according to the best of my ability."

Prayer by Rev. R. B. Wright.

#### TEMPORARY ASSISTANT SECRETARY.

No objection being offered, Joe H. Hutchinson, of Owyhee county, was appointed temporary assistant secretary.

#### PRESIDENT PRO TEM.

Nominations for President *pro tem.* of the Senate being in order, Senator Geo. C. Parkinson presented the name of Hon. Vincent Bierbower, of Logan county.

Senator Edward Boyce presented the name of Hon. John E. Rees, of Lemhi county.

The Senate then proceeded to elect a President *pro tem.* by roll call, with the following result:

For Hon. Vincent Bierbower—Senators Browne, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, and Smith—10.

For Hon. John E. Rees—Senators Boyce, Hanrahan, Heitfeld, Miller, Steen, and Watt—6.

For Hon. William H. Watt—Senators Bierbower and Rees—2.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Hon. Vincent Bierbower was declared duly elected President *pro tem.* of the Senate.

SECRETARY OF THE SENATE.

Nominations for the secretary of the Senate being in order, Senator Browne, of Latah county, presented the name of Capt J. M. Wells.

Senator Boyce presented the name of George Lewis.

Roll was called and Mr. Wells was duly declared elected secretary of the Senate by the following vote:

For Mr. Wells—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For George Lewis—Senators Boyce, Hanrahan, Heitfield, Miller, Rees and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

ASSISTANT SECRETARY.

Nominations for assistant secretary being in order, Senator Dewey presented the name of Joe H. Hutchinson.

Senator Steen presented the name of Frank Stevens.

Roll was called with the following result:

For J. H. Hutchinson—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Frank Stevens—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Joe H. Hutchinson was duly declared elected assistant secretary of the senate.

ENGROSSING CLERK.

Nominations for engrossing clerk being in order, Senator Cunningham presented the name of C. M. Sain.

Senator Rees presented the name of Miss Ruth Maynard.

The roll was called with the following result:

For C. M. Sain—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Miss Maynard—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

C. M. Sain was duly declared elected engrossing clerk.

ASSISTANT ENGROSSING CLERK.

Nominations for assistant engrossing clerk being in order, Senator Browne presented the name of Miss Mamie Jacobs.

Senator Heitfeld presented the name of Samuel Adams.

The roll was called with the following result:

For Miss Jacobs—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Samuel Adams—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Miss Mamie Jacobs was duly declared elected assistant engrossing clerk.

#### ENROLLING CLERK.

Nominations for enrolling clerk being in order, Senator Browne presented the name of J. W. Keiff.

Senator Miller presented the name of C. F. French.

Roll was called with the following result:

For J. W. Keiff—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Mr. French—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Mr. J. W. Keiff was duly declared elected enrolling clerk.

#### ASSISTANT ENROLLING CLERK.

Nominations for assistant enrolling clerk being in order, Senator Rounds presented the name of Miss Phyllis M. Bailye.

Senator Hanrahan presented the name of Clay Vance.

Roll was called with the following result:

For Miss Bailye—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Mr. Vance—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees, and Steen—6

Whole number of votes cast, 18.

Necessary to a choice, 10.

Miss Phyllis M. Bailye was duly declared elected assistant enrolling clerk.

#### JOURNAL CLERK.

Nominations being in order for journal clerk, Senator Day presented the name of Thomas D. Page.

Senator Boyce presented the name of Miss T. O'Farrell.

The roll was called with the following result:

For Mr. Page—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds and Smith—11.

For Miss O'Farrell—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees, Steen and Watt—7.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Mr. Thomas D. Page was duly declared elected journal clerk.

#### CHAPLAIN.

Nominations for chaplain being in order, Senator Cunningham presented the name of Rev. R. B. Wright.

Senator Miller presented the name of Rev. D. McReynolds.

The roll was called with the following result:

For Rev. R. B. Wright—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Rev. D. M. McReynolds—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Rev. R. B. Wright was duly declared elected chaplain of the Senate.

#### SERGEANT-AT-ARMS.

Nominations for sergeant-at-arms being in order, Senator Dewey presented the name of I. T. Peterson.

Senator Hanrahan presented the name of F. M. Stamper.

Roll was called with the following result:

For I. T. Peterson—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For F. M. Stamper—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—6.

Whole number of votes cast, 18..

Necessary to a choice, 10.

Mr. I. T. Peterson was duly declared elected sergeant-at-arms.

#### COMMITTEE CLERK.

Nominations for one committee clerk being in order, Senator Smith presented the name of Stewart Simpson.

Senator Steen presented the name of Henry Armstrong.

The roll was called with the following result:

For Mr. Simpson—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Mr. Armstrong—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Mr. Stewart Simpson was duly declared elected committee clerk.

#### PAGES—(2).

Nominations for pages being in order, Senator Bierbower presented the names of Masters Elmer Fuller and Thomas Rader.

Senator Rees presented but one name, Master Frank Hartley.

Senator Cunningham made a motion that the two receiving the highest number of votes (if a majority) be declared elected.

The motion prevailed.

The roll was called with the following result:

For Thomas Rader—all of the Senators voted aye.

For Elmer Fuller—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds and Smith—11.

For Frank Hartley—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees, Steen, and Watt—7.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Masters Thomas Rader and Elmer Fuller were duly declared elected pages.

DOORKEEPER.

Nominations for doorkeeper being in order, Senator Robertson presented the name of John McGinty.

Senator Rees presented the name of John Mitchell.

The roll was called with the following result:

For Mr. McGinty—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith, and Watt—12.

For Mr. Mitchell—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees, and Steen—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Mr. John McGinty was duly declared elected doorkeeper.

JANITOR.

Nominations for janitor being in order, Senator Golden presented the name of J. W. Stevens.

Senator Steen presented the name of Preston Badley.

The roll was called with the following result:

For Mr. Stevens—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith and Watt—12.

For Mr. Badley—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees, and Stein—6.

Whole number of votes cast, 18.

Necessary to a choice, 10.

Mr. J. W. Stevens was duly declared elected janitor.

OATH OF OFFICERS.

The officers and employees-elect (except Miss Mamie Jacobs and Miss Phyllis M. Bailye) were duly sworn in by President Mills.

MOTION.

Senator Myer moved "That the President be authorized to inform the House of Representatives that the Senate was duly organized and ready for business."

So ordered.

And the following message was transmitted to the House:

MESSAGE TO THE HOUSE.

Filed at 1 p. m.

SENATE CHAMBER, January 7th, 1895.

*To the House of Representatives.*

Mr. Speaker: I am directed by the President of the Senate to inform your honorable body that the Senate has permanently organized by the election of the following officers:

*President pro tem*—Hon. Vincent Bierbower.

*Secretary*—Captain J. M. Wells.

*Assistant Secretary*—Joseph H. Hutchinson.

*Engrossing Clerk*—C. M. Sain.

*Assistant Engrossing Clerk*—Miss Mamie Jacobs.

*Enrolling Clerk*—J. W. Keiff.

*Assistant Enrolling Clerk*—Miss Phyllis M. Bailye.

*Journal Clerk*—Thomas D. Page.

*Chaplain*—Rev. R. B. Wright.

*Sergeant-at-Arms*—I. T. Peterson.

*Committee Clerk*—Stewart Simpson.

*Pages*—Elmer Fuller and Thomas Rader.

*Doorkeeper*—John McGinty.

*Janitor*—J. W. Stevens.

J. M. WELLS, Secretary.

MOTION.

On motion of Senator Cunningham a committee of three was appointed to wait upon the Governor and notify him that the Senate was permanently organized and ready for business.

The President appointed Senators Cunningham, Smith and Steen.

MOTION.

On motion of Senator Robertson a recess was taken for ten minutes to await the return of the special committee appointed to wait upon the Governor.

The special committee to wait upon the Governor having arrived, the Senate was called to order again at 1:30 p. m.

The committee reported that it had carried out the request of the Senate and submitted the following communication from Governor McConnell.

The committee was then discharged.

COMMUNICATION FROM THE GOVERNOR.

BOISE CITY, January 7, 1895.

*To the President and Members of the Senate, Idaho State Legislature.*

Gentlemen: Your committee has waited upon me with the information that you are organized and ready to receive any communication which I may desire to place before your honorable body.

You are deserving of my congratulations and of those of your constituents for the promptness with which you have entered upon your duties.

I shall feel honored to present to you my biennial message to-morrow (Tuesday) evening, the 8th instant, at such a time as you may deem most convenient.

I shall prefer that a joint convention of both houses be called to receive the same.

With the assurance that you will receive the hearty co-operation of myself in your efforts to reduce taxation and promote the interests of the people of the State of Idaho, I have the honor to subscribe myself,

— Very respectfully yours,

(Signed) W. J. McCONNELL, Governor.

The following communication was received from the House of Representatives:

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 7, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has organized by the election of the following officers and attachees:

*Speaker of the House*—Hon. R. V. Cozier.

*Chief Clerk*—J. H. Gwinn.

*Sergeant-at-Arms*—J. D. Flenner.

*Assistant Chief Clerk*—Walter Hoge.

*Enrolling Clerk*—Joseph Brimm.

*Assistant Enrolling Clerk*—H. H. Bangs.

*Engrossing Clerk*—Carl Brunzell.

*Assistant Engrossing Clerk*—Miss May Miller.

*Chaplain*—Rev. F. P. Howard.

*Doorkeeper*—William Ainslie.

*Committee Clerk*—A. E. Werner.

*Janitor*—Robert Lewis.

*Journal Clerk*—George Peck.

*Pages*—James Cheesewright and Joe Leonard.

And is now ready to proceed to the transaction of legislative business.  
(Signed) J. H. GWINN, Chief Clerk.

#### MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 7, 1895.

Mr. President: I am instructed to inform your honorable body that the Speaker has appointed Messrs. Crane, Neal and Bennett as joint committee to confer with a like committee with reference to fixing a time for receiving biennial message of His Excellency William J. McConnell, and respectfully request the Senate to appoint a like committee.

(Signed) J. H. GWINN, Chief Clerk.

#### MOTION.

Senator Bierbower moved "that a committee of three be appointed on rules, and in the meantime the Senate will act under, and be governed by, the usual parliamentary rules of order."

Which motion prevailed, and the President appointed Senators Cunningham, Bierbower and Rees as said committee.

#### RESOLUTION.

Senator Parkinson offered the following resolution:

"That a joint committee of three be appointed to act with a like committee from the House of Representatives to arrange a time and place for the assembling of the joint session of the Third Legislature of the State of Idaho to receive the biennial message of the Governor."

Adopted, and the President appointed Senators Parkinson, Bierbower and Rees as said committee.

#### MOTION TO ADJOURN.

Senator Brown then made a motion to adjourn until 3 p. m.

Seconded by Senator Bierbower.

Senator Boyce moved as an amendment "That when the Senate adjourns it be till 10 a. m., Tuesday, January the 8th, 1895."

Seconded by Senator Robertson.

The amendment prevailed.

On motion of Senator Browne the Senate then adjourned.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### TUESDAY—SECOND DAY.

SENATE CHAMBER, January 8th, 1895.

Senate met pursuant to adjournment at 10 a. m.

Hon. F. J. Mills presiding.

## ROLL CALL.

The roll was called and the following Senators responded to their names:

Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, and Mr. President *pro tem.* Bierbower.

Quorum present.

Prayer by the chaplain.

The President announced that Senator Hanrahan had taken his oath of office yesterday and Miss Jacobs this morning.

The journal of yesterday was read and approved.

## REPORTS OF STANDING COMMITTEES.

The committee on rules presented their report, as follows:

## ORDER OF BUSINESS AND RULES OF THE SENATE.

## RULE I.

1. The stated hour of meeting, unless otherwise ordered, shall be 10 o'clock in the morning of each day.

2. The President, (ex-officio the Lieutenant Governor,) or, in his absence, the President *pro tem.*, shall take the chair every day, promptly at the hour to which the Senate stands adjourned; shall call the Senate to order, and on the appearance of a quorum shall proceed to business.

## RULE II.

1. A majority of all the Senators elected shall constitute a quorum, and whenever a less number than a quorum shall convene at a regular meeting, and shall adjourn, the names of the absentees shall be entered on the journal.

2. Whenever a less number than a quorum shall convene at any regular meeting, they are empowered to send the sergeant-at-arms, or any other person or persons by them authorized, for any or all absent Senators; and the actual expense incurred thereby in each case shall be paid by the absentees, respectively, unless for a good and sufficient reason, they may have been, or may be, excused by the Senate.

## RULE III.

1. The Senate having been called to order at the hour to which it shall have adjourned, and a quorum being present, the order of business shall be as follows:

First. Prayer.

Second. Reading and correction of the journal.

Third. Presentation of petitions and memorials.

Fourth. Reports of standing committees.

Fifth. Reports of special committees.

Sixth. Consideration of messages from the Governor.

Seventh. Consideration of messages from the House of Representatives.

Eighth. Motions and resolutions.

Ninth. Introduction, first reading and reference of bills.

Tenth. Second reading of bills.

Eleventh. Third reading of bills.

Twelfth. Consideration of the general calendar.

Thirteenth. Miscellaneous business.

2. Whenever any bill or other matter is made the special order for

a particular day and hour, and the consideration thereof shall not be completed at that sitting, it shall retain its place on the general calendar, unless it shall be made the special order for another day.

#### RULE IV.

1. No motion shall be debated until the same shall have been seconded and put by the chair and, if desired by the presiding officer or by any Senator, such motion shall be reduced to writing, delivered at the secretary's desk and read before the same shall be debatable.

2. Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment or ordering of the ayes and nays, except a motion to reconsider, which shall not be withdrawn without leave of the Senate.

3. When a question is under debate the President shall receive no motion but to adjourn, to take a recess, to proceed to the consideration of the special order, to lay on the table, to close debate at a special time, to postpone to a day certain, to commit, to amend, or to postpone indefinitely, and they shall take precedence in the order named.

4. A motion to postpone to a day certain, or indefinitely, being decided shall not be again allowed at the same stage of the bill or proposition; and if a bill or proposition be set for consideration on a certain day, it shall not be considered at an earlier day.

#### RULE V.

1. All so-called substitute motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto, except such matters as may be reported by committee.

#### RULE VI.

1. All questions of order shall be decided by the President without debate; such decision shall be subject to appeal to the Senate by any Senator, on which appeal no Senator shall speak more than once, unless by leave of the Senate, and the President may on such appeal speak in preference to Senators.

2. If a Senator be called to order for words spoken, the exceptional words spoken shall be immediately taken down in writing by the secretary, that the President may be the better enabled to judge of the matter.

3. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any Senator may, call him to order; and the Senator called to order shall immediately take his seat, if required to do so by the President, until the question of order is decided. If the decision be in favor of the Senator called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed, in case any Senator object, without leave of the Senate.

#### RULE VII.

1. A motion to adjourn (or take a recess) shall always be in order; but being decided in the negative, shall not be again entertained unless some motion, call, or order shall have taken place.

#### RULE VIII.

1. A question containing two or more propositions, capable of division, shall be divided whenever desired by any Senator. A motion to strike out and insert shall be deemed divisible, but a motion to strike out and insert, shall neither preclude amendment nor a motion to strike out and insert.

2. All amendments of the House of Representatives to a Senate bill or other propositions shall not be divisible.

## RULE IX.

1. The following questions shall be decided without debate, to wit: To adjourn, to take a recess, to lay on the table, to take from the table, to go into committee of the whole on the orders of the day, and all questions relating to the priority of business.

## RULE X.

1. On filling up blanks, the question shall first be taken on the largest sum, greatest number and most distant day.

## RULE XI.

1. The President shall have the right, in the absence or inability of the President *pro tem.* to preside, to name any Senator to perform the duties of the chair temporarily, who shall be invested during such time with all the powers and privileges of the President, except that of signing bills and joint resolutions. But such appointment shall not extend beyond an adjournment.

2. The President shall have the general direction of the Senate chamber, and in case of any disturbance or disorderly conduct in the lobby, he shall have the power to order the same to be cleared. He may assign seats within the bar of the Senate to reporters of newspapers, for the purpose of taking down the proceedings, but not so as to interfere with the convenience of the Senate.

3. The President shall, in the presence of the Senate, and after their titles shall have been previously read, sign all bills and joint resolutions, memorials and addresses, when passed by both houses, and all writs, warrants and subpoenas issued by order of the Senate, or any committee thereof, shall be under his hand, attested by the secretary.

## RULE XII.

1. The secretary shall permit no journals, records, bills or papers to be taken from his desk, or out of his custody, other than in the regular routine of business; nor shall he at any time or place allow the same to be handled or examined by any person whatsoever, except the President, Senators, and officers and employees of the Senate.

2. If any papers in his charge shall be missing, he shall report the fact immediately upon the discovery, to the President.

3. The secretary shall keep a book to be called the docket, in which he shall enter, under appropriate marginal numbers, all Senate and House bills, and joint resolutions and memorials and correct notes, with the dates thereof of the state, condition and progress of each bill pending until the final disposition thereof, and shall index the same under the name of the Senator or Representative introducing the bill, joint resolution or memorial, and generally shall perform the duties of secretary under direction of the President.

## RULE XIII.

1. The secretary shall keep a correct journal of each day's proceedings.

2. The title of all bills and proposed amendments shall be entered on the journal.

## RULE XIV.

1. The secretary of the Senate shall make a list of all bills in the order in which they were reported from committees—unless the Senate shall otherwise direct—resolutions, reports of committees and other proceedings of the Senate which are committed to a committee of the whole Senate, and which are not made the order of the day for any particular day and hour; which list shall be called the general calendar.

2. He shall make a list of all bills, resolutions, reports of committees

and other proceedings of the Senate, which have, by order of the Senate, been set down for consideration at some particular day and hour; which list shall be called the special orders.

3. He shall make a list of all bills, resolutions and memorials which may be upon their third reading, entering these in the order in which they were ordered upon third reading, unless the Senate shall by a two-thirds vote, otherwise direct; which list shall be called bills upon third reading.

#### RULE XV.

1. No Senator shall be permitted to vote or serve on any committee on any question in the event of which, other than a citizen, he is individually interested.

2. No Senator shall, without leave, absent himself from the Senate, otherwise than temporarily, unless there be a quorum without his presence.

3. In all cases the Senator who shall first rise and address the President shall speak first, but no Senator shall speak more than twice on the same day on the same question, without leave of the Senate, and he shall confine himself to the question under debate, and avoid personalities.

4. Any Senator shall have the right to protest against any action of the Senate, and such protests, and the reasons therefor, when reduced to writing, shall, without alteration, commitment or delay, be entered in the journal.

#### RULE XVI.

1. Every Senator present when the question is put, shall vote, unless the Senate, for special reasons, excuse him. A request to be excused from voting shall not be in order unless made before the Senate divides, or before the call of the yeas and nays is commenced. Any Senators requesting to be excused from voting, may make a brief statement of the reason for making such request, and the question shall then be taken without further debate; but no Senator shall be excused from voting on any question by reason of his occupying the chair.

2. Any Senator may change his vote before the decision of the question shall have been announced by the chair.

#### RULE XVII.

1. When a question has been decided by the Senate, any Senator, voting on the prevailing side, may give notice that he will, on the same or succeeding day, move for the reconsideration thereof, and such motion shall take precedence over all other questions except the consideration of a conference report or a motion to adjourn: *Provided*, That such motion if made during the last six days of the session shall be disposed of when notice is given.

#### RULE XVIII.

1. In case of disagreement between the Senate and House of Representatives the Senate may either recede, insist and ask a conference, or adhere; any motion for such purposes shall take precedence in that order.

#### RULE XIX.

1. The following standing committees shall be appointed by the President:

Judiciary, five members.

Finance, five members.

Rules, three members.

State Affairs, five members.  
Privileges and Elections, five members.  
Education, three members.  
Irrigation and Water Rights, five members.  
Agriculture and Live Stock, three members.  
Public Lands, three members.  
Corporations, five members.  
Mines and Mining, three members.  
Military and Indian Affairs, three members.  
Counties and County Boundaries, five members.  
Highways, Bridges and Ferries, five members.  
Public Printing, three members.  
Engrossed and Enrolled Bills, three members.  
Immigration and Labor, three members.

2. No committee shall sit during the session of the Senate, nor at any time occupy the Senate chamber without leave granted by the Senate.

3. The committee on engrossment shall examine all bills, amendments and joint resolutions or other papers which are required to be engrossed, before they go out of the possession of the Senate, and make report when they find them correctly engrossed, before they are read a third time; they shall also compare such amendments as may be made in the House to Senate bills and that are concurred in by the Senate, after they shall have been re-engrossed in the Senate, for the purpose of seeing if they are correctly engrossed; and no bill shall have its third reading unless it shall have been printed, nor until it has been engrossed and report thereon made by the committee on engrossment that it has been correctly engrossed.

4. The committee on enrollment shall examine all bills originating in the Senate and which have passed both houses, see that they are correctly enrolled, signed by the President of the Senate and Speaker of the House of Representatives, and presented to the Governor, and shall make report thereof to the Senate.

#### RULE XX.

1. Reports of committees, except such as *do not* propose final action, and reports of committees of conference, shall, unless otherwise ordered, be placed upon the calendar for the day next succeeding that on which they are presented to the Senate.

2. Every Senate bill shall, upon the first reading, and before being presented, be referred, as a matter of course, to the appropriate standing committee, for the single purpose of considering whether or not the bill shall be printed. The committee shall, as soon as possible, and in the order of its reference, report each bill back with the recommendation, "that the bill be ordered printed," or that "the bill be laid on the table," and in the event of the latter recommendation, the committee shall give explicitly its reasons therefor.

3. Three days after the reference of a bill, as provided for in the preceding section of this rule, any Senator may, by giving at least one day's notice call, for the report of the committee required in said section, and unless excused by the Senate, the committee shall, upon the expiration of the time of notice, make report.

4. The final question upon the second reading of every bill or joint resolution originating in the Senate shall be whether it shall be engrossed and read a third time; and no amendment shall be received

at the third reading except to make clerical corrections and perfect the text, unless by unanimous consent of the Senators present; but it shall be in order, before the final passage of any such bill or joint resolution, to move its recommitment; and should such recommitment take place and any amendment be reported by the committee, the said bill or resolution shall be again read a second time and considered, and the aforesaid question again put.

5. A motion to strike out the enacting clause of a bill shall have precedence of a motion to amend, and if carried, shall be equivalent to its rejection.

6. When an amendment made in the Senate to a bill from the House of Representatives shall be disagreed to by the House, and not adhered to by the Senate, the bill shall be considered as standing on third reading.

#### RULE XXI.

1. On a motion being made and seconded to close the doors of the Senate on the discussion of any business which may, in the opinion of any Senator, require secrecy, or on motion being made and carried, that the Senate go into executive session, the President shall direct all except the Senators and secretary, and sergeant-at-arms to withdraw, and during the executive session and the discussion of said motion, the doors shall remain shut, and every member and officer shall keep secret all such matters, proceedings and things whereof secrecy shall be enjoined by order of the Senate.

2. Whenever the Senate shall go into consideration of executive business the proceedings of the Senate in such business shall be kept in a separate journal, which shall not be inspected by any others than the members of the Senate, unless otherwise ordered by the Senate. The Governor shall, from day to day, be notified by the secretary of the action of the Senate upon executive nominations, but no further extract from the executive journal shall be furnished, published or otherwise communicated, except by special order of the Senate.

3. Any Senator or officer of the Senate, convicted of disclosing any matter directed by the Senate to be held in confidence, shall be liable, if a Senator, to expulsion, and if an officer, to dismissal from the service of the Senate.

#### RULE XXII.

1. Upon the adoption of a motion to go into the committee of the whole Senate, the President shall appoint the chairman thereof, who shall, for the time being, exercise all the powers of the President, necessary to the conduct of the business of the committee.

2. The rules of the Senate shall govern, as far as practicable, the proceedings of the committee except that a member may speak more than twice on the same subject, that a call for the yeas and nays can not be made, nor can an appeal from the decision of the chair be taken.

3. A motion that the committee rise shall always be in order, and shall be decided without debate.

#### RULE XXIII.

1. Messages from the Governor or House of Representatives may be received at any time, except while the Senate is dividing, or while the journal is being read, or while a question of order or a motion to adjourn is pending, but no such message shall be reported to the Senate without unanimous consent, until the regular order is reached.

#### RULE XXIV.

1. All resolutions, memorials and other papers requiring the signature of the Governor, shall be treated in all respects, in the introduction and form of proceeding, in a similar manner with bills.

## RULE XXV.

1. No person not a Senator or officer of the Senate, other than the Judges of the District and Supreme Courts, the Governor, and elective State officers, members of the Congressional delegation, members of the House of Representatives, duly accredited representatives of the State press, shall be allowed on the floor of the Senate while in session.

2. Any employee of the Senate, or of its committees, soliciting or inviting any Senator to vote or use his influence for any bill or matter before the Senate, shall be at once dismissed from service and employment.

## RULE XXVI.

1. Every petition, memorial, remonstrance, resolution, bill and report of committee shall be endorsed with its appropriate title, and immediately thereunder the name of the Senator presenting the same shall be written.

2. Every petition, memorial and other paper shall be referred as of course, without putting the question, unless the reference be objected to when it is presented.

## RULE XXVII.

1. During the session of the Senate, smoking within the Senate chamber shall not be allowed.

2. No purchase shall be made or expense incurred by the sergeant-at-arms, or any officer or employee of the senate, in its behalf, except upon the written order of the President.

3. When the reading of any paper is called for, and not as a part of the remarks of any Senator, and objection be made, it shall be determined by a vote of the Senate, without debate.

4. No rule shall be suspended unless upon a two-thirds vote, nor abrogated or amended unless one day's notice be given, or upon a report of the committee on rules and upon a majority vote.

5. All employees of the Senate shall be under the general supervision of the President, who shall have the right to direct any employee to perform any reasonable duty for the Senate other than the special work of the position to which such employee has been elected if he thinks the public interest demand.

(Signed) J. W. CUNNINGHAM,

VINCENT BIERBOWER,

JOHN E. REES,

*Committee on Rules.*

## MOTION.

On motion of Senator Cunningham, seconded by Senator Dewey, the report of the committee on rules was ordered read by sections.

After being read and adopted by sections, the report was unanimously adopted by the following vote:

Ayes—Senators Browne, Bierbower, Boyce, Cunningham, Dewey, Day, Golden, Hanrahan, Heitfeld, Myer, Miller, Parkinson, Robertson, Rounds, Rees, Steen, Smith and Watt.—Total, 18.

Nays—None.

The rules were ordered printed in pamphlet form.

The President announced the printing committee as Senators Day, Golden and Miller.

## SENATE CONCURRENT RESOLUTION NUMBER ONE.

Senator Bierbower introduced Senate Concurrent Resolution No. 1.

*“Resolved by the Senate, the House of Representatives concurring:*

3—SJ

That until otherwise provided the Lieutenant Governor shall preside at all joint conventions of the two branches of the legislature."

Which was adopted by the following vote:

Ayes—Senators Browne, Bierbower, Boyce, Cunningham, Dewey, Day, Golden, Hanrahan, Heitfeld, Myer, Miller, Parkinson, Robertson, Rounds, Rees, Steen, Smith and Watt—Total, 18.

Nays—None.

#### RESOLUTION.

Senator Browne introduced the following resolution:

"*Resolved*, That the Secretary of State be requested to furnish each member of the Senate with one copy of the Revised Statutes of the State of Idaho, one copy of the Session Laws of 1890, 1891, 1892, 1893, and one copy of the Constitution."

The resolution was adopted.

#### RECESS.

On motion of Senator Dewey, seconded by Senator Bierbower, the Senate took recess until 2 p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.

President Mills presiding.

All the Senators were present except Senators Browne, Boyce, Parkinson, Rees and Steen.

Quorum present.

#### SENATE JOINT RESOLUTION NUMBER ONE.

Senator Robertson introduced Senate Joint Resolution No. 1, and moved its adoption.

"WHEREAS, It has come to the knowledge of the members of this body that there is a substantial conflict between the executive department of this State and the State Wagon Road Commission with reference to the disposition of certain moneys now claimed to be due certain contractors of the State wagon road; and—

WHEREAS, The dignity and honor of the State is involved in such controversy, and to the end that the integrity of the executive department may be maintained and that justice may be done to all interested, it is—

*Resolved*, That the President of this body appoint a committee of three to co-operate with a like committee appointed by the Speaker of the House, with power to send for persons and papers, to investigate the differences now existing between the executive department and the State Wagon Road Commission and the contractors and make report thereof at their earliest convenience, and that the Auditor of State be directed to refrain from issuing or drawing any warrants upon the State Wagon Road Fund pending such investigation."

President Mills ruled the motion to adopt out of order, as it required a suspension of the rules and constitution.

Senator Robertson then made the following motion:

"That Section 15, Article 3, of the constitution and the rules of the Senate be suspended, and that Senate Joint Resolution No. 1 be read a first time and a second time by title, a third time at length, and placed upon its final passage."

The President stated the question to be upon the motion to suspend the rules and constitution.

The roll was called with the following result:

Ayes—Senators Day, Hanrahan, Robertson, Rounds and Smith. Total, 5.

Nays—Senators Browne, Cunningham, Dewey, Golden, Heitfeld, Myer, Miller, Parkinson, Steen and Watt—Total, 10.

Excused—Senators Boyce and Rees.

Absent—Senator Bierbower.

The motion was lost.

No objection being offered, the President referred the original resolution (Senate Joint Resolution No. 1) to the judiciary committee, consisting of Senators Bierbower, Parkinson, Dewey, Steen and Rees.

#### MOTION.

Senator Boyce made a motion to reconsider the vote adopting the Senate rules, but received no second.

The President then announced the standing committees, as follows:

#### STANDING COMMITTEES OF THE SENATE, THIRD SESSION.

*Judiciary*—Bierbower, Parkinson, Dewey, Steen, Rees.

*Finance*—Browne, Cunningham, Golden, Watt, Miller.

*Rules*—Cunningham, Bierbower and Rees.

*State Affairs*—Rounds, Golden, Day, Rees, Boyce.

*Privileges and Elections*—Parkinson, Robertson, Browne, Heitfeld, Hanrahan.

*Irrigation and Water Rights*—Cunningham, Smith, Parkinson, Rees, Heitfeld.

*Education*—Day, Smith, Rees.

*Agriculture and Live Stock*—Smith, Parkinson, Miller.

*Public Lands*—Day, Rounds, Heitfeld.

*Immigration and Labor*—Watt, Dewey, Bierbower.

*Corporations*—Robertson, Dewey, Myer, Watt, Hanrahan.

*Mines and Mining*—Dewey, Myer, Boyce.

*Highways, Bridges and Ferries*—Myer, Robertson, Golden, Heitfeld, Boyce.

*Counties and County Boundaries*—Parkinson, Day, Smith, Watt, Steen.

*Military and Indian Affairs*—Smith, Watt, Hanrahan.

*Public Printing*—Golden, Day, Miller.

*Engrossed and Enrolled Bills*—Rounds, Myer, Miller.

On motion of Senator Myer, seconded by Senator Dewey, the list of standing committees was ordered printed.

A resolution was introduced by Senator Browne, but was declared out of order by the President.

#### COMMITTEE REPORT.

The report of the special committee appointed to fix a time and place for receiving the Governor's message was submitted in the form of a majority and minority report.

#### MAJORITY REPORT.

"A majority of your committee to fix time and place to receive the Governor's message; report that some of the leading citizens of Boise City, through the mayor, invited the legislature to meet the Governor, and receive his message to the legislature at the Columbia theatre, on account of its greater seating capacity; that many citizens of Boise City, and distinguished visitors now in the city, would like to attend on

that occasion, and that the theatre will be provided free of cost, and also that the band of the national guard will furnish music for the occasion. We therefore favor accepting said invitation, and recommend 7:30 o'clock, this eighth day of January, as the time for receiving said message."

GEO. C. PARKINSON,  
V. BIERBOWER.

#### MINORITY REPORT.

Mr. President: The undersigned members of your committee appointed by the Senate to arrange and report upon a proper time and place for the receipt of the message of His Excellency the Governor, beg leave to protest against the report of the majority of the committee recommending the opera house as such place.

We hold that the only proper place for the Chief Executive of the State to address the legislative department of the government is at the State Capitol, and to the two legislative houses assembled in the chamber of the Senate or the House of Representatives. Any other procedure would detract from the dignity of the Executive, and impair the sense of legislative propriety.

We therefore recommend that the two houses assemble in the chamber of the House of Representatives at the hour of 7:30 o'clock p. m., on January 8, 1895, for the purpose of receiving the message of His Excellency the Governor. (Signed) JOHN E. REES.

Senator Boyce addressed the Senate favoring the minority report, but was declared out of order by the President, as there was no motion before the Senate.

#### MOTION.

Senator Parkinson moved that the majority report be adopted by the Senate.

Seconded by Senator Bierbower.

Senator Boyce moved as an amendment that the minority report be adopted.

Seconded by Senator Rees.

#### POINT OF ORDER.

Senator Cunningham raised the point of order that the amendment was not germane, as it was in the nature of a substitute. The point of order was not sustained by the President.

Senator Boyce addressed the Senate favoring the minority report.

Senator Bierbower favoring the majority report.

The question being on the amendment, the adoption of the minority report was lost.

The majority report was then adopted.

#### RECESS

On motion of Senator Bierbower, seconded by Senator Golden, a recess was then taken for five minutes.

The Senate reassembled at 3:30 p. m.

#### SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senator Cunningham introduced Senate Concurrent Resolution No. 2.

*"Be it resolved by the Senate, the House of Representatives concurring, That when adjournment of the two houses of this legislature is had this afternoon, it be to meet in joint convention at the Columbia theatre in Boise City this evening at 7:30 o'clock p. m., to receive the Governor's message."*

The question being upon the adoption of Senate Concurrent Resolution No. 2, the roll was called with the following result:

Ayes—Senators Browne, Bierbower, Cunningham, Dewey, Day, Golden, Hanrahan, Heitfeld, Rounds, Myer, Miller, Parkinson, Robertson, Smith and Watt.

Nays—Senators Boyce, Rees and Steen.

Senate Joint Resolution No. 2 adopted.

#### INTRODUCTION OF BILLS.

Senate Bill No. 1—By Senator Robertson, read first time and referred to the finance committee.

Senate Bill No. 2—By Senator Browne, read first time and referred to the judiciary committee.

#### RECESS.

By unanimous consent the Senate took a recess for ten minutes.

The Senate reassembled at 3:50 p. m.

#### MESSAGES FROM THE HOUSE

Following message was received from the House:

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, January 8th, 1895.

Mr. President: I am directed by the House of Representative to inform your honorable body that the House of Representatives has adopted the following concurrent resolution: "That until otherwise provided the Speaker of the House shall preside at all joint sessions of the two branches of the legislature," and the concurrence of your honorable body is suggested.

(Signed) J. H. GWINN, Chief Clerk.

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, January 8th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration Senate Concurrent Resolution No. 1 and that we do not concur in the same.

(Signed) J. H. GWINN, Chief Clerk.

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, January 8th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration Senate Concurrent Resolution No 2 and that we concur in the same.

(Signed) J. H. GWINN, Chief Clerk.

Messages were filed.

#### SENATE CONCURRENT RESOLUTION NUMBER THREE.

Senator Cunningham introduced Senate Concurrent Resolution No. 3.

*"Be it Resolved by the Senate, the House of Representatives concurring, That the Honorable Lieutenant Governor and the Honorable Speaker of the House of Representatives be requested to confer and arrange for the first joint convention to be held at 7:30 p. m., January 8th, 1895, at the Columbia theatre."*

On motion of Senator Cunningham Senate Concurrent Resolution No. 3 was adopted unanimously.

#### ADJOURNMENT.

Word having been received that the House had adjourned, by motion of Senator Dewey the Senate adjourned to meet at the Columbia theatre at 7:30 o'clock p. m.

## EVENING SESSION.

The Senate met pursuant to adjournment in the Columbia theatre at 7:30 o'clock p. m.

President Mills presiding.

## ROLL CALL.

The roll was called and all the Senators were present except Senator Hanrahan.

Quorum present.

## COMMITTEE APPOINTED.

The President appointed Senators Bierbower and Rees as a committee to wait upon the House and inform the Speaker that the Senate had convened pursuant to Senate Concurrent Resolution No. 2 and was ready to meet the House in joint convention.

## COMMITTEE REPORT.

The special committee, consisting of Senators Bierbower and Rees, reported that their report had been received by the House, and on motion duly made, seconded and put by the Speaker the House accepted the invitation of the Senate to join them in joint session.

## JOINT SESSION.

The joint session of the two houses of the legislature was called to order by the President of the Senate, President of the joint session.

Roll call of the Senate in joint session:

Present—Senators Browne, Bierbower, Boyce, Cunningham, Dewey, Day, Golden, Heitfeld, Myer, Miller, Parkinson, Robertson, Rounds, Rees, Steen, Smith, and Watt.—Total, 17.

Absent—Senator Hanrahan.

## QUORUM PRESENT.

A quorum of both Houses being present, Honorable W. J. McConnell, Governor of the State of Idaho, delivered his biennial message to each house.

## JOINT SESSION DISSOLVED.

After the reading of the message, on motion of Senator Browne, seconded by Senator Dewey, the joint session was dissolved.

## SENATE IN SESSION.

On motion of Senator Cunningham, the Senate adjourned to meet at 10 a. m., January 9th, 1895.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## WEDNESDAY—THIRD DAY.

SENATE CHAMBER,

BOISE CITY, IDAHO, January 9th, 1895.

The Senate met pursuant to adjournment at 10 a. m.

President Mills presiding.

## ROLL CALL.

The roll being called, all of the Senators responded to their names.  
Quorum present.

Prayer by the chaplain.

The journal of yesterday was read and approved.

## PETITIONS AND MEMORIALS.

Senate Joint Memorial No. 1—By Senator Heitfeld, was read and referred to the finance committee.

## SENATE JOINT MEMORIAL NO. 1.

"A joint memorial asking Congress for the passage of a law providing for the free and unlimited coinage of silver; fixing the value thereof; protesting against the passage of the Carlisle Bill, and praying for other relief."

*To the Honorable Senate and House of Representatives in Congress assembled, and to His Excellency the President of the United States:*

Your memorialist, members of the third session of the Legislature of the State of Idaho, most earnestly pray for the passage by the present Congress of a law for the free and unlimited coinage of silver as it existed prior to its demonetization in 1873, on the basis of sixteen parts of silver to one part of gold by weight. We also earnestly protest against the passage of the bill now pending in the House of Representatives known as the Carlisle Bill.

We believe in the constitutional money of the country, viz: Gold and silver.

We also believe that to save the industrial masses from financial ruin, the volume of the money must be increased by the free and unlimited coinage of both gold and silver, supplemented by the issue of a sufficient amount of legal tender paper to restore prices to a basis of profit.

We also believe that as it takes all the money in circulation to carry on the business of the country, every dollar permitted to circulation as money, whether of gold, silver, or paper, should be a full legal tender in the payment of all public and private debts and that no creditors should be allowed by contract to destroy the legal tender quality of any dollar authorized to circulate by law. We therefore pray that speedy relief may be given to a greatly distressed people by the adoption of a financial system which shall embody, among other things, the suggestions of this memorial.

And your memorialist will ever pray.

(Signed) HENRY HEITFELD.

## REPORT OF STANDING COMMITTEES.

Senator Golden announced that the printing committee would be ready to report in the afternoon.

## REPORT OF SPECIAL COMMITTEES.

None.

## MESSAGES FROM THE GOVERNOR.

The Governor's biennial message, which was delivered to the Senate in joint session yesterday, was received in type-written form, and on motion of Senator Bierbower, seconded by Senator Rees, the reading of the message by the secretary was dispensed with and the President referred the message by sections to the following committees:

From the beginning of the message to the words "State institutions," on page 9, finance committee.

From "State institutions," page 9, to the word "irrigation," on page 29, committee on State affairs.

From "irrigation," on page 29, to "horticulture," page 30, to committee on irrigation.

From "horticulture," page 30, to words "public schools," page 31 to committee on agriculture.

From "public schools," page 31, to words "State wagon road," page 33, to committee on education.

From "State wagon road," page 33, to word "elections," page 34, to committee on judiciary.

From word "elections," page 34, to words "Columbian Exposition," page 35, to committee on privileges and elections.

From "Columbian Exposition," page 35, to words "bureau of labor," page 35, to committee on finance.

From "bureau of labor," page 35, to "deficiency warrants," page 38, to committee on immigration and labor.

From "deficiency warrants," page 38, to word "mining," page 39, to, jointly, committees on finance and judiciary.

From "mining," page 39, to words "boiler inspector," page 39, to committee on mines and mining.

From "boiler inspector," page 39, to words "State and county treasurers," page 41, to committee on State affairs.

From "State and county treasurers," page 41, to words "State militia," page 41, to, jointly, committees on finance and judiciary.

From "State militia," page 41, to words "code commissions," page 42, to the end, committee on judiciary.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE.

None on file.

#### MOTIONS AND RESOLUTIONS.

On motion of Senator Cunningham, seconded by Senator Dewey, Senate Concurrent Resolution No. 3, (adopted January 8, 1895,) was reconsidered by a unanimous vote.

Senator Cunningham moved "That Senate Concurrent Resolution No. 3 be laid on the table."

The motion was seconded by Senator Dewey, and prevailed by unanimous vote.

#### MOTION FOR CONFERENCE COMMITTEE.

Senator Bierbower moved "That the Senate refuse to concur in House Resolution (Concurrent) No. 1."

Seconded by Senator Cunningham.

The motion prevailed.

Senator Bierbower moved "That the Senate respectfully asks for a conference committee from the House on Senate Concurrent Resolution No. 1."

Seconded by Senator Cunningham.

The motion prevailed.

Senator Bierbower introduced the following

#### RESOLUTION.

*"Resolved,* That the committee on finance be requested to ascertain the amount of mileage due each of the members of the Senate, and report the same to this body at their earliest convenience."

The resolution was adopted.

#### INTRODUCTION OF BILLS.

Senator Robertson introduced Senate Joint Resolution No. 2.

A joint resolution to submit to the electors of the State of Idaho, for their rejection or approval, an amendment to Section No. 2 (two),

Article 6 (six), of the Constitution of the State of Idaho, relating to suffrage and elections.

*Be it resolved by the Legislature of the State of Idaho:*

SECTION 1. That Section 2 (two), Article 6 (six), of the Constitution of the State of Idaho be amended so as to read as follows:

"Section 2. Except as in this article otherwise provided, every male or female citizen of the United States, twenty-one years old, who has actually resided in this State or Territory for six months, and in the county where he or she offers to vote thirty days next preceding the day of election, if registered as provided by law, is a qualified elector; and until otherwise provided by the legislature, women who have the qualifications prescribed in this article may continue to hold such school offices and vote at such school elections as provided by the laws of the Territory of Idaho."

RECESS.

On motion of Senator Day, seconded by Senator Cunningham, the Senate took a recess for thirty minutes.

Reconvened at 11:30 a. m., and on motion of Senator Dewey, seconded by Senator Parkinson, the Senate took a recess until 2 p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.  
President Mills presiding.

ROLL CALL.

All Senators were present except Senator Bierbower.  
Quorum present.

COMMUNICATION FROM COMMANDANT OF SOLDIERS' HOME.

IDAHO SOLDIERS' HOME,

BOISE CITY, January 9, 1895.

*To the Honorable President and Members of the Senate of the State of Idaho:*

Gentlemen: We hereby extend to your honorable body an invitation to visit the Soldiers' Home, by committee or otherwise, that you may arrive at a knowledge of the necessities and requirements of the institution for the next two years. Necessity requires early action on behalf of the soldier in the institution. Respectfully submitted,

(Signed) W. C. MAXEY, Commandant.

(Signed) P. R. MINER, Adjutant.

COMMUNICATION FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 9, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has appointed a conference committee to confer with a like committee from the Senate on Senate Concurrent Resolution No. 1, and named Representatives Brown, Smith and Sanders as such committee. (Signed) J. H. GWINN, Chief Clerk.

SENATE STANDING COMMITTEE.

By unanimous consent the President appointed the Senate standing committee on rules as its committee of conference with the House on Senate Concurrent Resolution No. 1, viz: Senators Cunningham, Bierbower and Rees.

## RECESS.

On motion of Senator Dewey, seconded by Senator Cunningham, the Senate took a recess until 3 p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment at 3 p. m.  
President Mills presiding.

## ROLL CALL.

All Senators were present.  
Quorum present.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, January 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 7, An act or bill to provide for payment of officers, members and employees of the third session of the legislature of the State of Idaho, which is herewith transmitted. Respectfully,

(Signed) J. H. GWINN, Chief Clerk.

By unanimous consent House Bill No. 7 was read and referred to finance committee.

## ADJOURNMENT.

On motion of Senator Dewey, seconded by Senator Cunningham, the Senate adjourned until 10 a. m., January 10th, 1895.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## THURSDAY—FOURTH DAY.

SENATE CHAMBER, January 10th, 1895.

The Senate met pursuant to adjournment at 10 a. m.  
President Mills presiding.

## ROLL CALL.

All present except Senators Browne and Dewey.  
Quorum present.

Prayer by the chaplain.

The journal of yesterday was read and approved.

## PETITIONS AND MEMORIALS.

Senate Joint Memorial No. 2—By Senator Dewey.

Your memorialists, the legislature of Idaho, assembled in the third session after statehood, would most respectfully but urgently ask for the passage of a law providing for the free and unlimited coinage of silver as it existed prior to the demonetization act of 1873.

We protest against the passage of the Carlisle Currency Bill or any similar experiment.

We protest against the issue by the government under existing conditions of interest bearing bonds, and we believe that the basis of all money should be gold and silver. In behalf of the wage workers and debtors, as well as in behalf of the great business interests of our country, we ask the above relief and we, your memorialists, will ever pray.

## URGENCY RESOLUTION.

WHEREAS, it is desirable that Senate Joint Memorial No. 2 be passed

and sent to our delegation in Congress at as early a date as practicable, therefore,

*Resolved*, That Senate Joint Memorial No. 2 presents a case urgency, as defined in Section 15, Article 3, of the Constitution of Idaho, and that said section and the rules of the Senate be suspended, and Senate Joint Memorial No. 2 be read a first time, a second time by title, a third at length, and placed upon its final passage at once.

MOTION.

Senator Dewey moved that the urgency resolution be adopted.

Seconded by Senator Cunningham.

The president announced that a suspension of the rules and Constitution required a two-thirds affirmative vote.

The question being upon the adoption of the urgency resolution, the roll was called with the following result:

Ayes—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Myer, Parkinson, Robertson, Rounds, Smith, Watt and President *pro tem*. Bierbower—Total, 13.

Nays—Senators Boyce, Heitfeld, Miller, Rees and Steen—Total, 5.

Thirteen Senators having voted for the urgency resolution, and being a two-thirds majority, the resolution was adopted.

Senate Joint Memorial No. 2 was then read a second time by title, a third time at length, and placed upon its final passage.

The President announced the question; "Shall Senate Joint Memorial No. 2 pass?"

The roll was called with the following result:

Ayes—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, and President *pro tem* Bierbower—15.

Nays—Senators Boyce, Heitfeld and Miller—3.

So Senate Joint Memorial No. 2 passed and was transmitted to the House.

REPORTS OF STANDING COMMITTEES.

The committee on privileges and elections reported Senate Joint Resolution No. 2, as follows:

BOISE, January, 10th, 1895.

Mr. President: Your committee on privileges and elections having under consideration Senate Joint Resolution No. 2, beg leave to report the same back to the Senate with the recommendation that the same be printed and do pass. (Signed) PARKINSON, Chairman.

The printing committee reported as follows:

BOISE CITY, January 10, 1895.

Mr. President: Your committee on printing begs leave to report one hundred copies printed of standing committees. Also the printing of Senate Joint Resolution No. 2.

(Signed) G. D. GOLDEN, Chairman.

REPORT OF SPECIAL COMMITTEES.

Report of conference committee on Senate Concurrent Resolution No. 1:

Mr. President: We, your conference committee on Senate Concurrent Resolution No. 1 appointed to confer with a like committee from the House, notice of the appointment of which was given to the Senate in a message from the House, have the honor to report that the House

committee, through its chairman, has refused to confer with your committee. (Signed) CUNNINGHAM, Chairman.

The conference committee on Senate Journal Resolution No. 1 was discharged.

#### MESSAGES FROM THE GOVERNOR.

None.

#### MESSAGES FROM THE HOUSE.

None.

#### MOTIONS.

On motion of Senator Cunningham, seconded by Senator Dewey, the president appointed Senators Golden, Day and Miller as a committee to wait upon the house and find out how many copies of the Governor's message was required to be printed.

Senator Myer moved "That a committee of three be appointed to visit the Soldiers' Home and make an estimate of the cost to furnish and support the same for a period of two years."

Seconded by Senator Bierbower.

The motion prevailed, and the President appointed the Senate standing committee on Indian and military affairs, viz: Senators Smith, Watt and Hanrahan, as such committee.

#### INTRODUCTION OF BILLS.

Senate Bill No. 3—By Cunningham.

Referred to finance committee.

Senate Bill No. 4—By Browne.

Referred to finance and judiciary committees.

#### SECOND READING OF BILLS.

Senate Joint Resolution was read and referred to engrossment committee.

Senator Bierbower asked for a decision of the chair as to whether or not it is absolutely necessary for the secretary of the Senate to read in full each bill three times.

The President decided that each bill must be read in full the third time; but by a two-thirds affirmative vote of the Senators present, or no objection being offered, the reading of each bill in full the first and second time may be dispensed with, but unless the reading is dispensed with a first or second time each bill must be read three times in full.

#### RECESS

On motion of Senator Boyce, seconded by Senator Watt, the Senate took a recess until 2 p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.

President Mills presiding.

#### ROLL CALL.

All Senators were present.

Quorum present.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment reported Senate Joint Resolution No. 2, as follows:

Mr. President: Your committee on engrossed and enrolled bills has

had under consideration Senate Joint Resolution No. 2, and beg leave to report the same correctly engrossed.

(Signed) R. ROUNDS, Chairman.

MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, January 10th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has instructed its committee on rules and joint rules to confer with the like committee of the Senate upon the matters of difference between the two houses, with reference to Senate Concurrent Resolution No. 1.

The said committee is composed of A. A. Crane, Frank T. Wyman, Thos. Elder, J. J. McCarty, H. L. Hughes, which is herewith transmitted.

Respectfully,

(Signed) J. H. GWINN, Chief Clerk.

On motion of Senator Bierbower, seconded by Senator Golden, the Senate adjourned until Friday, January 11th, 1895.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

FRIDAY—FIFTH DAY.

SENATE CHAMBER, January 11th, 1895.

The Senate met pursuant to adjournment at 10 a. m.

President Mills presiding.

ROLL CALL.

All present except Senator Robertson.

Quorum present.

Prayer by the chaplain.

The journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

None.

A message was received from the House concerning House Bill No. 9, and was filed awaiting its regular order.

REPORTS OF STANDING COMMITTEES.

The committee on irrigation and water rights made the following report.

Mr. President: Your committee on irrigation and water rights, to which was referred that part of the Governor's message which relates to irrigation and water rights, have considered the same, and beg leave to report recommending the adoption of a concurrent resolution providing for the appointment of a joint committee on irrigation and water rights as recommended by the Governor.

(Signed) CUNNINGHAM, Chairman.

The printing committee made the following report:

Mr. President: Your committee on printing beg leave to report that at a joint meeting with the printing committee of the House we had bids submitted to us from four different concerns and we ordered printed by the lowest bidder 5,000 copies of the Governor's message for the use of the members of both houses and the Governor.

(Signed) GOLDEN, Chairman.

The finance committee made the following report:

Mr. President: Your committee on finance has had under consid-

eration Senate Bill No. 3, entitled, "A bill for an act to repeal an act entitled an act to prescribe the mode of payment of all obligations of debt to be paid in money," and adjudge the same entitled to be printed and recommend its passage. (Signed) R. S. BROWNE, Chairman.

The judiciary committee made the following report:

Mr. President: The judiciary committee respectfully recommends that Senate Bill No. 2 and Senate Joint Resolution No. 3 be printed.

(Signed) BIERBOWER, Chairman.

The printing committee made the following report:

Mr. President: Your committee on printing begs leave to report the rules of the Senate have been printed. The same have been examined and found correct. (Signed) G. D. GOLDEN, Chairman.

The President, by unanimous consent, ordered that the bills be printed as recommended by the judiciary and finance committees.

The President announced that Miss Phyllis M. Bailye was sworn in this morning.

Senator Boyce gave notice that tomorrow he would call for the report of the committee on Senate Joint Memorial No. 1.

#### MESSAGES FROM THE HOUSE.

OFFICE OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 10th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 9, an act to provide for the payment of the general expenses of the asylum of the insane and of the improvement of the insane building and grounds, incurred during the fiscal year of 1894, which is herewith transmitted.

Respectfully,

Filed.

(Signed) J. H. GWINN, Chief Clerk.

#### MOTIONS AND RESOLUTIONS.

Senator Bierbower offered the following resolution:

"*Resolved*, That a committee be appointed to confer with a like committee from the House on joint rules."

The resolution was adopted.

And the President appointed the Senate standing committee on rules, viz: Senators Cunningham, Bierbower and Rees.

Senator Parkinson introduced Senate Concurrent Resolution No. 4, and moved its adoption.

#### SENATE CONCURRENT RESOLUTION NUMBER FOUR.

That a joint special committee on irrigation, consisting of two members of the Senate and three members of the House of Representatives, be appointed by the presiding officer of the respective bodies.

To such committee shall be referred all bills introduced in either body relating to irrigation, and such committee shall have power at any time to report to the respective bodies by bill or otherwise.

Senate Concurrent Resolution No. 4 was adopted unanimously.

#### SENATE JOINT RESOLUTION NUMBER FOUR.

"To direct the Secretary of State to provide postage stamps," etc.

The President referred the resolution to the committee on finance.

#### INTRODUCTION OF BILLS.

Senate Bill No. 5—By Rounds. "An act to amend sections 4 and 12 of an act to establish a Soldiers' Home," etc.

Senator Bierbower moved that Senate Bill No. 5 be read by title and referred.

The President announced that the adoption of the motion would require a two-thirds affirmative vote, as it required a suspension of the rules.

The question being upon the suspension of the rules, the roll was called with the following result:

Ayes—Cunningham, Day, Dewey, Golden, Myer, Parkinson, Robertson and President *pro tem.* Bierbower—8.

Nays—Boyce and Rees—2.

Excused—Miller, Steen and Watt—3.

The rules were therefore suspended and Senate Bill No. 5 was read by title and referred to the committee on Indian and military affairs.

Senate Bill No. 6—By Rounds. "An act to amend sections one and two of an act entitled an act," etc.

Read first time and referred to the committee on privileges and elections.

Senate Bill No. 7—By Browne. "An act to provide for the issuance and sale of municipal and coupon bonds by incorporated cities and towns."

Read first time and referred to the committee on finance.

Senate Bill No. 8—By Browne. "An act relating to the delivery of insane persons to the asylum," etc.

Read first time and referred to the committee on finance.

House Bill No. 9 was read first time and referred to the committee on finance.

The President stated the committees to which had been referred the several parts of the Governor's message could obtain copies of the department supplemental messages in the Governor's office.

#### RECESS.

At the hour of 12 m. Senator Cunningham moved that the Senate take a recess until 2 p. m.

The motion prevailed.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.

President Mills presiding.

#### ROLL CALL.

All Senators were present except Senators Day, Parkinson and Smith.

Senators Day and Smith were reported ill and excused by the Senate.

Quorum present.

The President announced that the Senate was under the eleventh order of business.

#### THIRD READING OF BILLS.

Senate Joint Resolution No. 2 was read a third time.

The President stated the question: "Shall Senate Joint Resolution No. 2 pass?"

The roll was called with the following result:

All of the Senators present (16) voted aye.

And so the resolution passed and title approved, and was ordered transmitted to the House.

## MOTIONS.

Senator Bierbower moved "That when the Senate adjourned it be to meet at 10 o'clock a. m. Monday, January the 14th."

The motion prevailed.

At 2:20 p. m. the Senate took a recess subject to the call of the chair.

The Senate reconvened at 2:30 p. m.

The President stated by unanimous consent the Senate would return to the fourth order of business.

It was so ordered.

The finance committee made the following report:

BOISE, January 11th, 1895.

Mr. President: "We, your committee on finance, have had under consideration House Bill No. 7 and recommend that it do pass."

Senator Browne then introduced the following resolution:

"Resolved, That Section 15, Article 3, of the Constitution and the rules of the Senate be suspended and House Bill No. 7 be read a second time by title, a third time at length and placed upon its final passage."

The President stated the question to be on the suspension of the Constitution and rules.

The roll was called with the following result:

Ayes—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Steen, Watt and President *pro tem*. Bierbower—Total, 16.

Absent—2.

And so the Constitution and rules were suspended and House Bill No. 2 was read a second time by title, a third time in full and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

The roll was called with the following result:

Ayes—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Steen, Watt and President *pro tem* Bierbower—Total, 16.

Absent—two (Senators Rounds and Smith).

And so the bill passed and title approved.

## ADJOURNED.

By motion of Senator Cunningham the Senate then adjourned.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## MONDAY—SIXTH DAY.

SENATE CHAMBER, January 14th, 1895.

The Senate met pursuant to adjournment at 10 a. m.

The President presiding.

## ROLL CALL.

All Senators present.

Quorum present.

Prayer by the chaplain.

The journal of yesterday read and approved.

## REPORT OF STANDING COMMITTEES.

The committee on rules reported that they had under consideration

Rule 21—with regard to its possible conflict with section 12, article 3, of the Constitution, and that they would file its report tomorrow.

The committee on privileges and elections reported:

Mr. President: Your committee on privileges and elections, having had under consideration Senate Bill No. 6, beg leave to report, and recommend that the same be printed and that it do pass.

(Signed) PARKINSON, Chairman.

Committee on printing reported:

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 2 and 3 and that the same has been correctly printed; also, Senate Joint Resolution No. 3, and that the same has been correctly printed.

(Signed) G. D. GOLDEN, Chairman.

The committee on finance reported:

Mr President: Your committee on finance has had under consideration Senate Bill No 1 and a majority recommend that the printing of the bill be dispensed with and that the same do pass.

(Signed) CUNNINGHAM,  
GOLDEN,  
MILLER.

#### MINORITY REPORT.

I recommend that Senate Bill No. 1 be laid on the table.

(Signed) BROWNE.

The report of the committee on finance was placed on file to come up tomorrow.

Senator Boyce called for a report of the finance committee on Senate Joint Memorial No. 1, in accordance with his notice given yesterday.

President ordered the finance committee to report on Senate Joint Memorial No. 1 within three days.

The finance committee announced that it was ready to report on Senate Joint Memorial No. 1 now.

#### MESSAGE FROM THE HOUSE.

A message was received from the House concerning Senate Concurrent Resolution No. 2 and was filed.

At 10:55 a. m. Senate took a recess subject to the call of the chair.

The Senate reconvened at 11:20 a. m.

#### SENATE JOINT MEMORIAL, NUMBER ONE.

The following is the majority report of the finance committee.

Mr President: Your committee on finance have had under consideration Senate Joint Memorial No. 1, and respectfully report the same back with the following recommendations:

The subject of the memorial is substantially covered by Senate Joint Memorial No. 2, by Dewey, both praying for the free and unlimited coinage of silver, but Memorial No. 1 contains the following words: "Coinage of both gold and silver, supplemented by the issue of a sufficient amount of legal tender paper to restore prices."

The majority of your committee believe that the basis of all circulating money should be gold and silver, and a regard for the business interests of the whole country, and especially for the interests of our gold and silver producing states, induce us to the belief that we should not depart from a metallic basis for our currency system.

We further believe that the cause of silver would be injured by at-

taching to a demand for its free coinage a demand for legal tender paper issues.

Therefore, your committee recommend that Senate Joint Memorial No. 1 be laid on the table. (Signed) BROWNE, Chairman.

#### MINORITY REPORT.

The following is the minority report:

Mr. President: Your committee on finance has had under consideration Senate Joint Memorial No. 1 and the minority do not concur with the majority to lay the memorial on the table, but recommend that it do pass. (Signed) T. E. MILLER.

#### MOTION.

Senator Cunningham moved to lay Senate Joint Memorial No. 1 on the table.

Seconded by Senator Browne.

Senator Boyce moved as an amendment that the minority report be substituted for the majority report.

The President ruled the motion to amend the motion to lay on the table out of order, as the motion to lay on the table is neither amendable nor debatable.

And stated the question to be: "Shall Senate Joint Memorial No. 1 be laid on the table?"

The roll was called with the following result:

Ayes—Senators Browne, Cunningham, Day, Dewey, Golden, Myer, Parkinson, Rounds, Watt and President *pro tem.* Bierbower.—Total, 10.

Nays—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—Total, 6.

Senate Joint Memorial No. 1 was therefore laid on the table.

#### MESSAGE FROM THE HOUSE.

##### OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

BOISE CITY, January 14th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration Senate Concurrent Resolution No. 4 and that they do not concur in same and have referred it to the House committee on irrigation and water rights.

(Signed) J. H. GWINN, Chief Clerk.

Senator Cunningham moved to file the message to be called up at some future time as it appeared from the message that the House had made two dispositions of Senate Concurrent Resolution No. 2.

The motion prevailed.

#### MOTION.

Senator Heitfeld moved that rule 21 of the standing rules of the Senate be abrogated or rescinded, for the reason that the same is in direct conflict with section 12, rule 3, of the Constitution.

Under the rules this motion was laid over until tomorrow.

#### MOTION.

Senator Boyce moved that rule 20 be abrogated or rescinded.

Under the rules this motion was laid over until tomorrow.

#### INTRODUCTION OF BILLS.

Senate Bill No. 9—By Bierbower. An act for an act authorizing divorces to be granted in cases of insanity, etc.

Read first time and referred to judiciary committee.

Senate Bill No. 10—By Bierbower. An act entitled an act to provide for the revision, compilation and annotation of the laws and statutes of the State of Idaho, etc.

Read first time and referred to judiciary committee.

Senate Bill No. 11—By Bierbower. A bill for the relief of Howard French.

Read first time and referred to finance committee.

Senate Bill No. 12—By Myer. An act relating to the powers and duties of the board of county commissioners over highways, etc.

Read first time and referred to the committee on highways, bridges and ferries.

#### RECESS.

At 11:45 a. m. Senator Parkinson moved that the Senate take a recess until 2 p. m.

The motion prevailed.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.

President Mills presiding.

#### ROLL CALL.

All Senators were present.

Quorum present.

#### EXCUSED.

No objection being offered the committee appointed to visit the Soldiers' Home was excused for the day.

Senate Bill No. 13—By Smith. An act to better define the boundaries of Washington County.

Read first time and referred to committee on county boundaries.

#### SECOND READING OF BILLS.

Senate Joint Resolution No. 3 was read a second time, and, on motion of Senator Browne, was referred to engrossment committee.

#### MOTIONS.

Senator Boyce moved to return to the eighth order of business.

The motion prevailed by a two-thirds vote.

Senator Boyce then moved the abrogation of rule 20.

Seconded by Senator Steen.

The President decided that the motion could be discussed but not decided without one day's notice.

#### ADJOURNED.

Senator Browne moved to adjourn until 11 o'clock tomorrow.

The roll was called with the following result:

Ayes—Senators Browne, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Watt and President *pro tem.* Bierbower—Total, 10.

Nays—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Steen—Total, 6.

The motion prevailed and the Senate adjourned.

J. M. WELLS, Secretary,

FREDERICK J. MILLS, President.

## TUESDAY—SEVENTH DAY.

SENATE CHAMBER, January 15th, 1895.

The Senate met pursuant to adjournment at 10 a. m.

President Mills presiding.

## ROLL CALL.

All Senators present except Senators Rees, Robertson, Smith and Watt.

Quorum present.

Prayer by the chaplain.

The journal of yesterday was read and approved.

No objection being offered, the journal of the first day's proceedings was read and no corrections being made, the record of the first day's proceedings were duly signed by President Mills and the secretary of the Senate, J. M. Wells.

## PETITIONS AND MEMORIALS.

None.

## MOTION.

Senator Bierbower moved "That the rules be suspended to enable the committee on joint rules to report."

Seconded by Senator Cunningham.

The roll was called with the following result:

Ayes—Senators Cunningham, Day, Dewey, Myer, Parkinson, Robertson, Rounds, Watt and President *pro tem.* Bierbower, Golden—Total, 10.

Nays—Senators Boyce, Heitfeld, Miller, Rees and Steen—Total, 5.

Two-thirds of the Senators present having voted aye, the rules were suspended.

The report of the committee on joint rules was made in the form of a majority and a minority report.

## MAJORITY REPORT.

RULE 1. The Speaker of the House of Representatives shall preside in conventions of the two branches, and such conventions shall be holden in the hall of the House of Representatives. The chief clerk of the House of Representatives shall be clerk of the convention, and a record of the proceedings of the convention shall be entered at large on the respective journals of both branches.

RULE 2. When an agreement has been made by the two branches to go into convention, such agreement shall not be altered or annulled, except by concurrent vote.

RULE 3. No business shall be entered on in convention other than that which may be agreed on before the convention is formed.

RULE 4. The joint assembly required to be held by the statutes of the United States, relating to the elections for Senators in Congress, shall be deemed a convention of the two branches, and the proceedings therein shall be in accordance with the provisions of said statutes.

The President of the convention shall receive no motion on any day until one vote for Senator has been taken.

After one vote for Senator has been taken, no motion shall be in order except a motion to dissolve for a recess, or to proceed to vote for Senator; and these motions shall have precedence in the order of their arrangement, and shall be decided without debate.

If a motion is made for a recess, and different times are proposed,

the question shall be first taken on the most remote time; and the time shall be determined, but without debate, before the question is put upon taking the recess.

On either of the questions permitted by this rule the sense of the convention shall be taken by ayes and nays, whenever required by one-fifth of the members present.

When the ayes and nays are taken the roll of the convention shall be called in alphabetical order; and no member shall be allowed to vote who was not on the floor when his name was called or before the roll call was finished. The call for the ayes and nays shall be decided without debate.

(Signed) J. W. CUNNINGHAM,  
THOS. ELDER,  
H. L. HUGHES,  
FRANK WYMAN,  
J. J. MCCARTHY.

#### MINORITY REPORT.

You joint committee agree on the rules as presented in the majority report with the exception of rule 1.

Your minority recommend that the first seven words in rule 1 be stricken out and the words President of the Senate inserted.

(Signed) VINCENT BIERBOWER,  
JOHN E. REES,  
A. A. CRANE.

Senator Bierbower moved the adoption of the minority report.

The roll was called with the following result:

All Senators voted aye except Senator Boyce.

The minority report was adopted.

#### RECESS.

Upon motion of Senator Cunningham the Senate took a recess subject to the call of the chair.

Senate reconvened at 12 m.

The President announced: "That this being the second Tuesday after the organization of the legislature, the Senate will now proceed to ballot for a United States Senator for the term beginning March 4th, 1895, to succeed Honorable George L. Shoup."

Senator Parkinson nominated Honorable Willis Sweet.

Senators Day and Robertson seconded the nomination.

Senator Rees nominated Hon. W. H. Clagett.

Senator Steen seconded the nomination.

Senator Watt nominated Mr. Phil A. Regan.

The following is the result of the ballot:

For Hon. Willis Sweet—Senators Browne, Day, Dewey, Myer, Parkinson, Robertson, Rounds and Smith—8.

For Hon. George L. Shoup—Senators Cunningham, Golden, and President *pro tem.* Bierbower—3.

For Mr. Phil Regan—Senator Watt—1.

For Hon. W. H. Clagett—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees and Stein—6.

Whole number of votes cast—18.

Necessary to a choice—10

No choice.

## RECESS.

On motion of Senator Browne, Senate took a recess until 2 p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.

## ROLL CALL.

All were present except Senator Dewey, who was excused on account of illness.

## PETITIONS AND MEMORIALS.

Senator Myer (by request) presented a petition from the State Wagon Road Commissioners.

Referred to the committee on highways, bridges and ferries.

## MESSAGE FROM THE HOUSE.

A message was received from the House transmitting House Bill No. 4.

Message was filed.

## HOUSE BILL NO. SEVEN SIGNED.

The President stated that he was about to sign House Bill No. 7.

## REPORT OF STANDING COMMITTEES.

The committee on rules made the following report:

Mr. President: Your committee on rules respectfully report recommending the abrogation of rule 21. It is the opinion of your committee that any secret or executive session would be a violation of section 12, article 3, of the Constitution. (Signed) CUNNINGHAM, Chairman.

The report was adopted and rule 21 abrogated unanimously.

The committee on finance made the following reports:

Mr. President: We, the committee on finance, have had under consideration House Bill No. 9 and recommend that the same do pass.

(Signed) BROWNE, Chairman.

Mr. President: Your committee on finance has had under consideration Senate Bill No. 1, and a majority recommend that the printing of the bill be dispensed with and that the same do pass.

(Signed) CUNNINGHAM,  
GOLDEN,  
MILLER.

## MINORITY REPORT.

Mr. President: Your committee on finance has had under consideration Senate Bill No. 1, and a minority beg leave to submit that the claim, if a legal one, properly belongs to the State Land Department, and should be provided for by that department, and recommend that the bill in its present form do not pass. (Signed) R. S. BROWNE.

Senator Browne moved that the minority report be adopted.

Seconded by Senator Miller.

Senator Cunningham moved that the majority report be substituted for the minority report.

The roll was called with the following result:

At this point in the proceedings Senator Cunningham, with the consent of the second, and no objection being offered, withdrew his amendment.

The President stated the question: "Shall the minority report be adopted."

The roll was called with the following result:

Ayes—Senators Boyce, Browne, Hanrahan, Heitfeld, Miller, Rees, Smith and Steen—Total, 8.

Nays—Senators Cunningham, Golden, Myer, Robertson, Rounds, Watt, President *pro tem.* Bierbower—7.

The minority report was adopted.

Senator Boyce moved to lay Senate Bill No. 1 on the table.

The roll was called with the following result:

Ayes—Boyce, Browne, Hanrahan, Heitfeld, Miller, Rees, Smith, Steen—Total, 8.

Nays—Cunningham, Day, Golden, Myer, Robertson, Rounds, Watt, President *pro tem.* Bierbower—Total 8.

Being a tie vote, President Mills voted aye, and Senate Bill No. 1 was laid on the table.

The printing committee made the following report:

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bill No. 6, and that the same has been correctly printed.

(Signed) G. D. GOLDEN, Chairman.

The engrossment committee made the following report:

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Resolution No. 3 and beg leave to report the same correctly engrossed.

(Signed) R. ROUNDS, Chairman,

The committee on highways and bridges, etc., made the following report:

Mr. President: Your committee on highways, bridges and ferries beg leave to report that they have had under consideration Senate Bill No. 12, by Myer, An act to amend an act relating to the powers and duties of the board of county commissioners over highways, amending section 875 of the session laws, 1893, and respectfully recommend that the bill be ordered printed and that the same do pass.

(Signed) C. A. MYER, Chairman.

On motion of Senator Myer the report was adopted.

The committee on finance made the following report:

Mr. President: We, your committee on finance, have had under consideration Senate Joint Resolution No. 4 and recommend that it pass.

(Signed) BROWNE, Chairman.

On motion of Senator Browne the report was adopted.

#### MESSAGES FROM THE HOUSE.

OFFICE OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, ——— 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 24, which is herewith transmitted.

Respectfully,

(Signed) J. H. GWINN, Chief Clerk.

#### MOTIONS AND RESOLUTIONS.

Senator Heitfeld introduced the following resolution:

*Resolved*, That rule 21 of the standing rules of the Senate be abrogated or rescinded, for the reason that the same is in direct conflict with section 12, rule 3, of the Constitution.

The President stated that action had already been taken by the Senate and that there was no such rule.

Senator Boyce moved that rule 20 be abrogated, to come up under the proper order of business.

The roll was called with the following result:

Ayes—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees, Steen and Watt—Total, 7.

Nays—Senators Browne, Cunningham, Day, Golden, Myer, Robertson, Rounds, Smith and President *pro tem.* Bierbower—Total, 9.

The motion was lost.

#### MILEAGE REPORT.

The finance committee made the following report:

Mr. President: Your committee on finance respectfully submit the following report on mileage:

After carefully examining the claims of Senators for mileage we find them entitled to the number of miles set opposite their names, and are entitled to pay therefor at the rate of ten cents per mile:

Browne, Moscow, 659 miles.

Bierbower, Shoshone, 316 miles.

Cunningham, Boise.

Dewey, Silver City, 136 miles

Day, Lewiston, 994 miles.

Golden, Rocky Bar, 290 miles,

Hanrahan, Challis, 780 miles.

Heitfeld, Genesee, 974 miles.

Myer, Placerville, 98 miles.

Miller, Genesee, 974 miles.

Parkinson, Franklin, 784 miles.

Rounds, Idaho Falls, 630 miles.

Rees, Lemhi Agency, 1,006 miles.

Robertson, Nampa, 40 miles.

Smith, Meadows, 350 miles.

Steen, Murray, 1,165 miles.

Boyce, Wardner, 1,115 miles

Watt, Hailey, 428 miles.

President Mills, Pocatello, 524 miles.

(Signed) R. S. BROWNE, Chairman.

On motion of Senator Browne the report was adopted.

#### INTRODUCTION OF BILLS.

Senate Bill No. 14—By Robertson. A bill for an act to create and establish the Oregon and Interstate Bridge Commission, etc.

Read first time and referred to the committee on highways, bridges and ferries.

Senate Bill No. 15—By Watt. An act to revise and amend the laws relating to attachment and to repeal chapter 4 of title 7 of the Revised Statutes of Idaho.

Read first time and referred to judiciary committee.

#### ADJOURNED.

Upon motion of Senator Bierbower the Senate then adjourned until 10 a. m. tomorrow.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## WEDNESDAY—EIGHTH DAY.

SENATE CHAMBER, January 16th, 1895.

The Senate met pursuant to adjournment at 10 a. m.

President Mills presiding.

## ROLL CALL.

All Senators were present except Senator Dewey, who was excused on account of illness.

A message from the House concerning House Concurrent Resolution No. 2 was read and filed.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

The committee on military and Indian affairs reported on Senate Bill No. 5, which report was laid over until tomorrow.

The printing committee made the following report:

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bill No. 12, and that the same has been correctly printed. (Signed) G. D. GOLDEN, Chairman.

## REPORT OF SPECIAL COMMITTEES.

None.

## MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, January 15th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and adopted House Concurrent Resolution No. 2, which is herewith transmitted.

Respectfully, (Signed) J. H. GWINN, Chief Clerk.

Senator Cunningham moved to lay House Concurrent Resolution No. 2 on the table, to be called up some future time.

It was unanimously adopted.

The report of the committee on State affairs was made in the form of a majority and minority report.

## MAJORITY REPORT.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 8, and a majority beg leave to recommend the bill be printed, and that the same do pass.

(Signed) R. ROUNDS,  
C. M. DAY,  
G. D. GOLDEN,

## MINORITY REPORT.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 8, by Browne, relating to the delivery of insane persons to the asylum, and amending sections 777 and 780 of the Revised Statutes of Idaho.

The minority of that committee beg leave to report and recommend that the same be laid on the table, for the reasons—

1st. We do not believe it will reduce taxation;

2d. That it will increase the force of attendants at the asylum;

3d. We believe that when any person becomes insane it would be an injury to said person to be compelled to await the arrival of an attendant from the asylum;

4th. We believe the sheriff is the proper person to take charge of any insane person until they are delivered at the asylum.

(Signed) EDWARD BOYCE,  
JOHN E. REES.

The reports were laid over until tomorrow.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION OF BILLS.

Senate Bill No. 16—By Robertson. An act to create a State Board of Horticulture and to appropriate money therefor.

Read first time and referred to the committee on agriculture and live stock.

Senate Bill No. 17—By Golden. An act to amend sections 6 and 9 of chapter I and section 3 of chapter IV of an act entitled an act, etc.

Read first time and referred to judiciary committee.

Senate Bill No. 18—By Watt. An act to provide for making sheriff's deeds where the sheriff making the sale is no longer in office.

Read first time and referred to judiciary committee.

Senate Bill No. 19—By Senator Watt. An act to make insurance companies liable for the full sum insured and to prevent them from restricting their liability by so-called three-fourths clauses, or other clauses of a similar nature.

Read first time, referred to the committee on corporations.

#### FIRST READING OF BILLS.

House Bill No. 24 was read first time and referred to finance committee.

#### SECOND READING OF BILLS.

House Bill No. 9 read second time, referred to engrossment.

Senate Bill No. 6 read second time and referred to the engrossment committee.

Senate Bill No. 3 read first time and referred to the engrossment committee.

Senator Parkinson asked to submit a substitute to perfect the text of Senate Joint Resolution No. 3.

No objection.

Read third time and passed and title approved.

#### RECESS.

On motion of Senator Day the Senate took a recess subject to the call of the chair.

The Senate reconvened at 12 m. noon.

The President called to order and the Senate proceeded in a body to the House of Representatives to go into joint convention for the purpose of canvassing the vote of the two bodies of yesterday for United States Senator, and in case no choice being had, to vote for same in joint convention.

#### JOINT SESSION.

The joint session of the two houses was called to order by the Speaker of the House of Representatives.

The roll of the Senate was called by the Secretary of the Senate.

All present.

The roll of the House was called by the chief clerk of the House.

All present.

The secretary of the Senate then read from the journal of the Senate that portion of the proceedings yesterday relating to the ballot taken for United States Senators and the clerk of the House read from the journal of the House of yesterday that portion relating to the ballot taken for United States Senator.

It appearing therefrom that the same person has not received a majority of all the votes in each house, the Speaker directed that the joint assembly proceed to choose by vote of each member present, a Senator.

The joint assembly roll was then called with the following result:

Total number of votes cast was fifty-four (54), of which—

Willis Sweet received 21.

George L. Shoup received 15.

W. B. Heyburn received 1.

R. S. Browne received 1.

W. H. Claggett received 15.

P. A. Regan received 1.

Those voting for Mr. Sweet were: Messrs. Bennett, Browne, R. S., Clark, Crane, Day, Dewey, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert, Smith, John L., Thomas, Thompson, Verbeck, Walker, Young, N. H.—Total, 21.

Those voting for Mr. Shoup were: Messrs. Baxter, Bierbower, Brown, C. M., Cowden, Cunningham, Daly, Davis, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance, Wyman—Total, 15.

Those voting for Mr. Claggett were: Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—Total, 15.

Those voting for Mr. Heyburn—Mr. Cozier—Total, 1.

Those voting for Mr. Browne—Mr. Gamble—Total, 1.

Those voting for Mr. Regan—Mr. Watt—Total, 1.

No person having received a majority of all votes cast, the Speaker announced that there was no choice.

#### MOTION.

Mr. Crane, of the House, moved "That the joint assembly do now dissolve."

The motion prevailed.

#### RECONVENED IN THE SENATE CHAMBER.

Senator Dewey moved the Senate take a recess until 2 p. m.

The motion prevailed.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.

President Mills presiding.

#### ROLL CALL.

All Senators present excepting Senators Dewey and Watt.

Quorum present.

#### ADJOURNED.

On motion of Senator Bierbower the Senate adjourned until 10 a. m. tomorrow.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## THURSDAY—NINTH DAY.

SENATE CHAMBER, January 17th, 1895.

## ROLL CALL.

All Senators present except Day, Dewey and Watt.

Quorum present.

Senator Dewey excused.

Prayer by the chaplain.

The journal of yesterday was read and approved.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

The committee on rules made the following report:

Mr. President: Your committee on rules respectfully report and recommend that rule No. 22 be amended by adding the following:

SECTION 4. All bills reported back by any standing committee with or without amendments shall be placed on the calendar for consideration by the committee of the whole, in the order in which they are reported, and any recommendations made by a standing committee shall be read previous to the consideration of the bills to which they refer.

SECTION 5. All bills considered in committee of the whole shall be read by sections and a vote shall be taken on each section separately.

(Signed) CUNNINGHAM, Chairman.

Senator Cunningham moved that the report be adopted and the amendment ordered printed.

The motion prevailed.

The committee on engrossment made the following report:

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 3 and Senate Bill No. 6, and beg leave to report the same correctly engrossed.

(Signed) R. ROUNDS, Chairman.

Senate Bill No. 3 and Senate Bill No. 6 were placed on file for third reading.

The judiciary committee made the following report:

Mr. President: The judiciary committee has had under consideration Senate Bills No. 15, 10, 9, 17 and 18 and recommend that each of said bills be ordered printed. (Signed) BIERBOWER, Chairman.

The report was adopted.

The committee on military and Indian affairs made the following report:

Mr. President: Your committee on military and Indian affairs beg leave to report that it has had under consideration Senate Bill No. 5, by Bierbower, and recommend that the bill be indefinitely postponed for the reason that section 12 as therein amended would tend to increase instead of decrease the expenses of the Soldier's Home; and to further recommend that the views of the Governor in his message relative to an economical administration of the affairs of the Soldiers' Home be adopted. (Signed) SMITH, Chairman.

Senate Bill No. 5 was referred to the committee of the whole.

## FIRST READING OF BILLS.

Senate Bill No. 20—By Bierbower. An act ceding to the government of the United States jurisdiction over certain lands.

Read first time and referred to the judiciary committee.

SECOND READING OF BILLS.

Senate Bill No. 12 laid over for the committee of the whole.

THIRD READING OF BILLS.

House Bill No. 9 was read a third time.

The President stated the question: "Shall the bill pass?"

The roll was called with the following result:

Ayes—Senators Cunningham, Day, Golden, Heitfeld, Miller, Myer, Parkinson, Robertson, Rounds, Steen, Watt and President *pro tem.* Bierbower—Total, 12.

Nays—Senators Hanrahan and Rees—Total 2.

So the bill passed, the title approved and House Bill No. 9 was transmitted to the House.

MOTIONS.

Senator Rounds moved "That Senate Bill No. 6 be committed to committee of the whole."

The motion prevailed.

Senator Cunningham moved that Senate Bill No. 3 be committed to committee of the whole.

The motion prevailed.

RECESS

At 10:55 Senator Cunningham moved to take a recess until 11:55.

The motion prevailed.

RECONVENED.

At 11:55 the Senate reconvened.

The President announced that the hour of 12 o'clock having arrived and the Senate proceeded in a body to the House of Representatives to ballot in joint convention for United States Senator.

PROCEEDINGS OF THE JOINT CONVENTION.

January 17th, 1895.

The joint convention of the two houses was called to order by the Speaker of the House of Representatives.

The roll of the Senate was called by the secretary of the Senate.

All present.

The roll of the House was called by the chief clerk of the House.

All present.

The joint assembly roll call was then called with the following result. Total number of votes cast, 54.

Necessary to a choice, 28; of which—

Hon. Willis Sweet received 21.

Hon. George L. Shoup received 15.

Hon. W. H. Clagett received 15.

Hon. W. B. Heyburn received 1.

Hon. R. S. Browne received 1.

Mr. P. A. Regan received 1.

Those voting for Mr. Sweet were—Messrs. Bennett, R. S. Browne, Clark, Crane, Day, Dewey, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Gilbert Smith, J. L. Smith, Thomas, Thompson, Verbeck, Walker and N. H. Young—Total, 21.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, C. M. Brown, Cowden, Cunningham, Daly, Davis, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance and Wyman—Total, 15.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, James D. Young—Total, 15.

Those voting for Mr. Heyburn were—Mr. Cozier—1.

Those voting for Mr. Browne were—Mr. Gamble—1.

Those voting for Mr. Regan were—Mr. Watt—1.

No choice.

Mr. Bierbower moved the convention proceed to ballot again for United States Senator.

The motion was lost.

On motion of Mr. Crane the joint assembly dissolved.

#### RECONVENED IN THE SENATE.

At 12:15 Senator Dewey moved to take a recess until 2 p. m.

The motion prevailed.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.

President Mills presiding.

#### ROLL CALL.

All were present except Senators Dewey and Robertson.

Quorum present.

Senator Cunningham moved to go into committee of the whole.

The motion prevailed.

Senator Day in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. President: The committee of the whole has had under consideration Senate Bill No. 5; by Bierbower, passed to retain its place on the calendar, and Senate Bill No. 12, by Myer, and recommit it be engrossed and passed for third reading, and Senate Bill No. 6, by Rounds, and report progress and ask leave to sit again.

(Signed) C. M. DAY, Chairman.

Senator Bierbower moved that the report of the committee of the whole be adopted.

The motion prevailed.

#### ADJOURNED.

Senator Bierbower moved that the Senate do now adjourn till tomorrow morning at 10 a. m.

The motion prevailed.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### FRIDAY—TENTH DAY.

SENATE CHAMBER, January 18th, 1895.

The Senate met pursuant to adjournment at 10 a. m.

President Mills presiding.

#### ROLL CALL.

All present except Senator Dewey, who was excused.

Quorum present.

Prayer by the chaplain.

The journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. President: Your judiciary committee has had under consideration Senate Bill No. 20 and recommend the Senate bill be printed.

It was so ordered.

The committee on engrossment made the following report:

Mr. President: Your committee on engrossment respectfully report Senate Bill No. 12 correctly engrossed.

Filed for third reading.

The committee on county boundaries reported on Senate Bill No. 13, recommending amendments.

The report was referred to the printing committee.

The printing committee made the following report:

Mr. President: Your committee on printing respectfully report Senate Bill No. 8, and that the same was correctly printed.

Senate Bill No. 8 was placed on the calendar for the committee of the whole.

MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 17th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Joint Resolution No. 2.

(Signed) J. H. GWINN, Chief Clerk.

Senate Joint Resolution No. 2 referred to the enrollment committee.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, January 17th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 6, by Wyman, entitled An act to amend section 4912 of the Revised Statutes of the State of Idaho, relating to filing and service of affidavit of costs in civil actions.

Also House Joint Resolution No. 1, by Wyman, authorizing the employment of clerks for the judiciary committees of the Senate and House of Representatives. (Signed) J. H. GWINN, Chief Clerk.

House Bill No. 6 filed for first reading.

INTRODUCTION OF BILLS.

Senate Bill No. 21—by Robertson. An act to amend section 4912 and to repeal section 4913 of the Revised Statutes of Idaho, concerning costs.

Read first time and referred to finance committee.

Senate Bill No. 22—By Watt. An act to amend section 4144 of the Revised Statutes of Idaho, concerning the service of summons.

Read first time and referred to judiciary committee.

Senate Bill No. 23—By Bierbower. An act to amend section 5957 of the Revised Statutes of Idaho, concerning witnesses.

Read first time and referred to judiciary committee.

Senate Bill No. 24—By Parkinson. An act to amend section 1365 of the Revised Statutes of the State of Idaho.

Read first time and referred to the committee on agriculture and live stock.

#### FIRST READING OF BILLS.

House Joint Resolution No. 1 read first time and referred to judiciary committee.

House Bill No. 6 read first time and referred to judiciary committee.

#### SECOND READING OF BILLS.

Senate Joint Resolution No. 4 was placed on the calendar for the committee of the whole.

#### THIRD READING OF BILLS.

Senate Bill No. 12 was read a third time.

Senator Myer proposed an amendment to the title and to perfect the text of the bill.

Which amendment was unanimously adopted.

The question being: "Shall Senate Bill No. 12 as amended pass?"

The roll was called with the following result:

Ayes—Senators Boyce, Day, Golden, Hanrahan, Heitfeld, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—Total, 12.

Nays—None.

And so Senate Bill No. 12 passed.

The title read and approved.

#### RECESS.

At 10:55 Senator Rounds moved to take a recess till 12 m.

The motion prevailed.

The Senate reconvened at 12 m. and proceeded to the House for joint convention to ballot for United States Senator.

#### JOINT CONVENTION.

The joint assembly was called to order by President Mills, of the Senate, President of joint session.

#### ROLL CALL.

The joint assembly roll was then called with the following result:

Total number of votes cast, 53, of which—

Mr. Sweet received 20.

Mr. Shoup received 16.

W. H. Claggett received 15.

Mr. Heyburn received 1.

Mr. R. S. Browne received 1.

Those voting for Mr. Sweet were—Messrs. Bennett, R. S. Browne, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Gilbert Smith, John L. Smith, Thomas, Thompson, Verbeck, Walker and N. H. Young—Total, 20.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, C. M. Brown, Cowden, Cunningham, Daly, Davis, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance, Wyman, Watt—Total, 16.

Those voting for Mr. Heyburn were—Mr. Cozier.

Those voting for Mr. Browne were—Mr. Gamble.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring and James D. Young—Total, 15.

No choice.

Mr. Crane, of the House, moved "That the joint assembly do now dissolve."

The motion prevailed.

RECONVENED IN THE SENATE.

Senator Browne moved to take up the fourth order of business.

No objection.

So ordered.

The report of the finance committee was made in the form of a majority and minority report.

MAJORITY REPORT.

Mr. President: We, your committee on finance, have had under consideration House Bill No. 24, and beg leave to report that we recommend the same do pass. (Signed) BROWNE, Chairman.

MINORITY REPORT.

Mr. President: We, a minority of your committee on finance, respectfully report that we have had under consideration House Bill No. 24, and recommend that section 2 be amended to read as follows:

SECTION 2. That the sum of \$270 is hereby appropriated out of any moneys in the general fund of the State treasury not otherwise appropriated for the purpose of supplying each of the members of the legislature with \$5 worth of postage stamps and newspaper wrappers. Said postage stamps and newspaper wrappers to be delivered to each member of the Senate and House of Representatives in the proportion as above provided.

That section 4 be amended by striking out the words "\$630.00" (six hundred and thirty dollars) and inserting in lieu thereof the words, three hundred and sixty dollars. (Signed) WATT,

CUNNINGHAM.

Senator Bierbower moved "That the Senate resolve itself into the committee of the whole on House Bill No. 24."

The motion prevailed.

Senator Bierbower called to the chair.

REPORT OF COMMITTEE OF THE WHOLE.

Mr. President: The committee of the whole has had under consideration House Bill No. 24 and recommend the adoption of the majority report of the finance committee. (Signed) BIERBOWER, Chairman.

Senator Bierbower moved the adoption of the report of the committee of the whole.

The motion prevailed.

Senator Bierbower moved that section 15, article 3, of the Constitution and the rules of the Senate be suspended, and House Bill No. 24 be read a second time by title, a third time at length and placed on its final passage.

The President stated that it would take a two-thirds affirmative vote.

The roll was called with the following result:

Ayes—Senators Boyce, Browne, Cunningham, Day, Golden, Heitfeld, Myer, Parkinson, Robertson, Rounds, Smith, Steen and President *pro tem.* Bierbower—Total, 13.

Nays—Hanrahan, Miller and Watt—Total, 3.

And so the rules were suspended and House Bill No. 24 was read a second time by title, a third time at length and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

The roll was called with the following result:

Ayes—Senators Boyce, Browne, Day, Golden, Heitfeld, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen and President *pro tem*. Bierbower—13.

Nays—Senators Cunningham, Hanrahan, Miller and Watt—Total, 4.

And so the bill passed and the title was approved and ordered transmitted to the House.

#### RECESS.

At 12:45, on motion of Senator Bierbower, the Senate took a recess until 2 p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment 2 at p. m.

President Mills presiding.

#### ROLL CALL.

All present except Senators Dewey and Miller.

Quorum present.

Upon motion of Senator Cunningham the Senate took a recess subject to a call of the chair.

A message from the House was received regarding the House Bill No. 8 and filed.

The journals of the second, third, fourth, fifth, sixth, seventh, eighth and ninth days were read and approved.

Senators Parkinson and Bierbower announced pair on United States Senator.

#### ADJOURNMENT.

On motion of Senator Rounds the Senate adjourned till 10 a. m. tomorrow.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### SATURDAY—ELEVENTH DAY.

SENATE CHAMBER, January 19th, 1895.

#### ROLL CALL.

All present except Senators Dewey and Parkinson.

Senator Dewey was excused on account of illness.

Prayer by the chaplain.

#### PETITIONS AND MEMORIALS.

None.

#### REPORTS OF STANDING COMMITTEES.

The printing committee made the following reports:

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 9 and 10 and that the same have been correctly printed.

Senate Bill No. 9 and Senate Bill No. 10 referred to judiciary committee.

Mr. President: Your committee on printing respectfully report

that they have had under consideration the report of the committee on rules (concerning rule XXII), and that the amendment proposed has been correctly printed.

## REPORTS OF SPECIAL COMMITTEES.

None.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, January 18th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 8, which is herewith transmitted. Respectfully,

(Signed) J. H. GWINN, Chief Clerk.

The message was filed.

## MOTIONS AND RESOLUTIONS.

None.

## FIRST READING OF BILLS.

Senate Bill No. 25—By Miller. "An act relating to the powers and duties of the board of county commissioners over highways, and amending section 870 of the Revised Statutes."

Read first time and referred to the committee on highways, bridges and ferries.

House Bill No. 8—By Wyman.

Read first time and referred to finance committee.

## COMMITTEE OF WHOLE.

On motion of Senator Cunningham, seconded by Senator Rounds, the Senate resolved itself into a committee of the whole.

Senator Cunningham in the chair.

The committee rose to receive a message from the House concerning House Bill No. 1 and afterwards resumed its sitting.

During consideration of Senate Bill No. 3 Senator Cunningham called Senator Rounds to the chair.

The committee of the whole arose and reported as follows:

Mr. President: The committee of the whole has had under consideration the following bills:

Senate Bill No. 5, passed over to retain its place on the general calendar.

Senate Bill No. 6, amended by the following: Insert after the word "citizenship," in line 51, the following words:

"That I will not commit any act in violation of the provisions in this oath contained."

And by inserting after the word "State," in line 52, the following words:

"That I do regard the Constitution of this State and the laws thereof as interpreted by the courts as the supreme law of the land."

And recommend that Senate Bill No. 6 pass as amended.

(Signed) CUNNINGHAM, Chairman.

Also—

Mr. President: The committee of the whole has had under consideration Senate Bill No. 3, "An act to repeal an act entitled an act to

prescribe the mode of payment of all obligations of debt to be paid in money," and recommend that it do pass.

(Signed) R. ROUNDS, Chairman.

#### MESSAGES FROM THE GOVERNOR.

A message was received from the Governor transmitting resolutions adopted at a mass meeting in the city of Wardner, Idaho.

The resolutions and the Governor's message were referred, by unanimous consent, to a special committee, consisting of Senators Day, Watt and Boyce.

The President stated that the report of the committee of the whole was before the Senate.

Senate Bill No. 6 was read a second time, as amended, passed for third reading and referred to the engrossment committee.

Senate Bill No. 3 was read a second time and passed for third reading, and referred to the engrossment committee.

#### RECESS.

On motion of Senator Golden the Senate took a recess for ten minutes.

The Senate reconvened at 12 m. and proceeded in a body to the House.

#### JOINT CONVENTION.

The joint session of the two houses was called to order by the Speaker of the House, President of the joint session.

The roll of the Senate was called by the secretary of the Senate.

All were present except Senators Dewey and Parkinson—Total, 2.

The roll of the House was called by the chief clerk of the House.

All present except Messrs. Cowden, Hunt, Walker and N. H. Young—Total, 4.

Quorum present.

The joint assembly roll was then called with the following result:

Total number of votes cast 46, of which—

Mr. Sweet received 16.

Mr. Shoup received 13.

Mr. Heyburn received 1.

Mr. Browne received 1.

Mr. Clagett received 15.

Senators Parkinson and Bierbower were paired.

Senators Cunningham and Dewey were paired.

Those voting for Mr. Sweet were—Messrs. Bennett, R. S. Browne, Clark, Crane, Day, Henry, Monroe, Myer, Robertson, Rowton, Rounds, Gilbert Smith, John L. Smith, Thomas, Thompson and Verberk—Total 16.

Those voting for Mr. Shoup were—Messrs. Baxter, C. M. Brown, Daly, Davis, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance, Wyman and Watt—Total, 13.

Those voting for Mr. Heyburn were—Mr. Cozier.

Those voting for Mr. Browne were—Mr. Gamble.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring and James D. Young—Total, 15.

No choice.

Mr Crane, of the House, moved "That the joint assembly do now dissolve."

The motion prevailed.

SENATE IN SESSION.

At 12:20 the Senate reconvened.

By unanimous consent the Senate returned to the fourth order of business.

The finance committee made the following report:

Mr. President: Your committee on finance has had under consideration House Bill No. 8 and unanimously recommend that it do pass.

(Signed) BROWNE, Chairman.

Senator Browne moved "That section 15, article 3 of the Constitution and rules of the Senate be suspended and House Bill No. 8 be read a second time by title, a third time at length and placed upon its final passage."

The President stated the question to be on the suspension of the Constitution and rules.

The roll was called with the following result:

Ayes—Senators Browne, Cunningham, Day, Golden, Miller, Robertson, Rounds, Smith, Steen, Watt and President *pro tem.* Bierbower—Total, 11.

Nays—Senators Boyce, Hanrahan, Heitfeld, Myer and Rees—Total, 5.

Being a two-thirds affirmative vote the rules were suspended and House Bill No. 8 was read a second time by title and a third time at length and placed on its final passage.

Senator Boyce moved "That House Bill No. 8 be recommitted."

Seconded by Senator Steen.

The roll was called with the following result:

Ayes—Senators Boyce, Hanrahan, Heitfeld and Rees, 4.

Nays—Senators Browne, Cunningham, Day, Golden, Miller, Myer, Robertson, Rounds, Smith, Steen, Watt and President *pro tem.* Bierbower—12.

The motion to recommit was lost.

The President stated the question: "Shall House Bill No. 8 pass?"

The roll was called with the following result:

Ayes—Senators Browne, Cunningham, Day, Golden, Miller, Myer, Robertson, Rounds, Smith, Steen, Watt and President *pro tem.* Bierbower—12.

Nays—Senators Boyce, Hanrahan, Heitfeld and Rees—4.

And so the bill passed and the title approved.

ADJOURNED.

On motion of Senator Browne the Senate adjourned till 10 a. m. Monday.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

MONDAY—TWELFTH DAY.

SENATE CHAMBER, January 21st, 1895.

The Senate met pursuant to adjournment at 10 a. m.

President Mills presiding.

## ROLL CALL.

All were present except Senators Browne and Dewey.

Quorum present.

Prayer by the chaplain.

## READING OF THE JOURNAL.

The journal of the tenth and eleventh day was read and approved.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

The committee on engrossed and enrolled bills made the following report:

Mr. President: Your committee on engrossment respectfully report Senate Bill No. 3 and Senate Bill No. 6 correctly engrossed.

Filed for third reading.

## SPECIAL COMMITTEES.

The special committee appointed to act upon the message from the Governor in respect to the petition of the citizens of Wardner, reported as follows:

Mr. President: We met with a like committee appointed by the House of Representatives, and, after consideration, both committees being agreed, we recommend the passage of the memorial and concurrent resolution herewith submitted, and further recommend that the memorial be immediately telegraphed to the Senate of the United States and transmitted by mail to the legislature of the State of Montana, in the following form:

*"To the Honorable the Senate of the United States:*

*"The legislature of the State of Idaho respectfully urges upon your honorable body, the importance of the immediate passage of the bill known as the Hartman Mineral Land Bill, providing for the segregation of the mineral lands from the grant to the Northern Pacific Railroad Company within the States of Montana and Idaho.*

*"We urge immediate action because of the great material interests involved.*

*"Memorial in due form will follow by mail."*

Respectfully,  
DAY, Chairman.  
WATT,  
BOYCE.

## SENATE JOINT RESOLUTION NUMBER FIVE.

*Be it resolved by the House of Representatives, the Senate concurring,* That the Governor of the State of Idaho be and he hereby is authorized to take the necessary steps to restrain the Secretary of the Interior from issuing patent to the Northern Pacific Railroad Company to all that portion of the public domain (including that portion claimed and occupied by her citizens) situate within the State of Idaho and granted to the said Northern Pacific Railroad Company until such time as the mineral lands included therein shall have been properly segregated therefrom:

*And be it further resolved,* That the Governor of the State of Idaho confer with the proper officers of the State of Montana in respect to enjoining the Secretary of the Interior from issuing said patent.

## SENATE JOINT MEMORIAL NUMBER THREE.

*To the honorable, the Senate of the United States:*

Your memorialists, the legislature of the State of Idaho, respectfully represents unto your honorable body as follows, to wit:

That a large portion of the lands within the limits of the grant to the Northern Pacific Railroad Company in the State of Idaho is now known to be mineral land;

That many valuable mines and prospects are located upon the odd sections within the limits of said grant;

That the issuing of patent to said land, thus vesting title thereto in said railroad company, must result in irreparable loss to mine owners, prospectors and all people living in the great mining districts situate within the limits of said grant;

That the immediate passage of the bill known as the Hartman Mineral Land Bill, now pending before your honorable body, which provides for the segregation of these mineral lands from the operation of said grant before the issuing of patent, is absolutely necessary to the end that the rights of miners and prospectors as well as communities generally within the limits of said grant, shall be protected.

And your memorialists will ever pray, etc.

Senate Joint Memorial No. 3 and Senate Joint Resolution No. 5 filed for first reading.

#### MESSAGES FROM THE GOVERNOR.

None.

#### MESSAGES FROM THE HOUSE.

None.

#### MOTIONS AND RESOLUTIONS.

Senator Cunningham introduced Senate Concurrent Resolution No. 5.

Referred to finance committee.

A memorial from county commissioners from Logan county was referred to Senator Bierbower.

#### INTRODUCTION OF BILLS.

Senate Bill No. 26—By Rees. An act to more effectually punish the crime of bribery.

Read first time and referred to judiciary committee.

Senate Bill No. 27—By Myer. An act to regulate the practice of dentistry in the State of Idaho.

Read first time and referred to committee on State affairs.

Senate Bill No. 28—By Robertson. An act to create a bureau of vital statistics.

Read first time and referred to the committee on State affairs.

Senate Bill No. 29—By Boyce. An act to repeal an act entitled an act creating the office of boiler inspector.

Read first time and referred to the committee on State affairs.

#### MOTION.

Senator Day moved "That the rules of the Senate be suspended and section 15, article 3 of the Constitution and Senate Joint Memorial No. 3, and Senate Joint Resolution No. 5 be read a first time and a second time by title and placed upon their final passage."

The motion prevailed unanimously.

Senate Joint Memorial No. 3 was read a second time by title and the President stated the question to be: "Shall Senate Joint Memorial No. 3 pass?"

The roll was called and all Senators present (16) voted "aye."

Absent—Senators Browne and Dewey.

And so Senate Joint Memorial No. 3 passed.

At this point in the proceedings the following message was received from the House:

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE, IDAHO, January 21st, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Joint Memorial No. 2 and House Concurrent Resolution No. 3, which is herewith transmitted.

(Signed) J. H. GWINN, Chief Clerk.

The President stated that House Joint Memorial No. 2 and House Concurrent Resolution No. 3 practically covered the ground aimed at in Senate Joint Memorial No. 3 and Senate Joint Resolution No. 5, and asked unanimous consent to have House Joint Memorial No. 2 and House Joint Resolution No. 3 read now.

So ordered.

House Joint Memorial No 2—By Wyman. Relatings to petitions from Wardner on Northern Pacific Railroad Hartman Mineral Land Bill.

House Concurrent Resolution No. 3—By Wyman. On Wardner resolutions in regard to Hartman Mineral Land Bill.

MOTION.

Senator Day moved that the vote whereby Senate Joint Memorial No. 3 passed be reconsidered.

The motion prevailed unanimously.

Senator Day moved that Senate Joint Memorial No. 3 and Senate Joint Resolution No. 5 be laid on the table.

The motion prevailed unanimously.

Senator Day moved that section 15, article 3, of the Constitution and the rules of the Senate, be suspended and House Joint Memorial No. 2 and House Concurrent Resolution No 5 be read a second time by title, a third time at length and placed upon its final passage.

The motion prevailed unanimously.

House Joint Memorial No. 2 was read a second time by title, a third time at length.

The President stated the question to be: "Shall House Joint Memorial No. 2 pass?"

The roll was called and all Senators present (16) voted "aye."

Absent—Senators Browne and Dewey.

And so House Joint Memorial No. 2 passed.

House Concurrent Resolution No. 3 was read a second time by title a third time at length.

The President stated the question to be: "Shall House Concurrent Resolution No 3 pass?"

The roll was called and all Senators present (16) voted "aye."

Absent—Senators Browne and Dewey

And so House Concurrent Resolution No. 3 passed.

FIRST READING OF BILLS.

House Bill No. 1 read first time and referred to finance committee.

RECESS.

At 11:10 Senator Day moved to take a recess until 12 o'clock.

The motion prevailed.

The Senate reconvened at 12 m. and proceeded in a body to the House of Representatives to ballot for United States Senator in joint convention.

#### JOINT SESSION.

The journal of the joint session of Saturday was read and approved.

Joint assembly roll was then called with the following result:

Total number of votes cast, 54, of which—

Willis Sweet received 20.

George L. Shoup received 16.

W. H. Claggett received 15.

W. B. Heyburn received 1.

R. S. Browne received 1.

Those voting for Mr. Sweet were—Messrs. Bennett, R. S. Browne, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Gilbert Smith, John L. Smith, Thomas, Thompson, Verbeck, Walker and N. H. Young—Total, 20.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, C. M. Brown, Cowden, Cunningham, Daly, Davis, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance, Wyman and Watt—Total, 16.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, James D. Young—Total 15.

Those voting for Mr. Heyburn were—Mr. Cozier.

Those voting for Mr. Browne were—Mr. Gamble.

No choice.

On motion of Senator Cunningham the joint session then proceeded to take another ballot for United States Senator but without any change whatever in the result.

Mr. Crane moved "That the joint assembly do now dissolve."

The motion prevailed.

#### RECONVENED.

The Senate reconvened at 12:20 in the Senate chamber, and on motion of Senator Rounds took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock p. m.

President Mills presiding.

#### ROLL CALL.

All Senators present except Dewey and Parkinson.

Quorum present.

#### THIRD READING OF BILLS.

Senate Bill No. 3 read a third time.

President stated the question: "Shall the bill pass?"

The roll was called with the following result:

Ayes—Senators Browne, Cunningham, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—Total, 11.

Nays—Boyce, Hanrahan, Heitfeld, Miller, Rees, Steen—Total, 6.

And so the bill passed, the title approved and transmitted to the House.

MESSAGE FROM THE GOVERNOR.

A message received from the Governor enclosing letters from the district judges relating to reduction of taxation.

The message and letters were referred jointly to the finance and judiciary committees.

Senator Steen was excused for the day.

Senate Bill No. 6 was read a third time.

The President stated the question: "Shall the bill pass?"

The roll was called with the following result:

All Senators present (16) voted aye.

Absent—Senators Dewey and Steen.

And so the bill passed, the title approved and transmitted to the House.

President Mills announced that he was about to sign Senate Joint Resolution No. 2.

COMMITTEE OF THE WHOLE.

Senator Browne moved to go into committee of the whole for consideration of the general calendar.

The motion prevailed.

Senator Parkinson called to the chair.

President Mills stated that he was about to sign House Bill No. 9 and House Bill No. 8.

REPORT OF THE COMMITTEE OF THE WHOLE.

Mr. President: The committee of the whole has had under consideration the following bills:

Senate Bill No. 5, passed over to retain its place on the general calendar.

Senate Joint Resolution No. 4, by Bierbower, indefinitely postponed.

Senate Bill No. 8, by Browne, and recommended do pass.

(Signed) PARKINSON, Chairman.

Senator Bierbower moved that the report of the committee of the whole be adopted as to Senate Joint Resolution No. 4.

The motion prevailed.

Also as to Senate Bill No. 5.

Senator Parkinson moved that the report of the committee of the whole be adopted as to Senate Bill No. 8.

The motion prevailed.

Senate Bill No. 8 read a second time.

Senator Boyce moved to strike out the enacting clause of Senate Bill No. 8.

The roll was called with the following result:

Ayes—Senators Boyce, Hanrahan, Rees and Smith.

Nays—Senators Browne, Cunningham, Day, Golden, Heitfeld, Myer, Parkinson, Watt and President *pro tem.* Bierbower—Total, 9.

Absent—Dewey, Robertson, Rounds and Steen, 4.

The motion was lost.

No objection being offered, Senate Bill No. 8 was ordered engrossed and passed for third reading.

## ADJOURNED.

On motion of Senator Bierbower, the Senate adjourned until 10 a. m. Tuesday, January 22d.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## TUESDAY—THIRTEENTH DAY.

SENATE CHAMBER, January 22d, 1895.

Senate met pursuant to adjournment at 10 a. m.

President Mills presiding.

## ROLL CALL.

All were present except Senators Dewey and Parkinson.

Quorum present.

Prayer by the chaplain.

The journal of the twelfth day was read and approved.

The President stated he was about to sign House Bill No. 24.

## PETITIONS AND MEMORIALS.

Senator Bierbower asked unanimous consent to have the petition from the county commissioners of Alturas county referred to the committee on counties and county boundaries.

So ordered.

## REPORTS OF STANDING COMMITTEES.

Senator Rounds reported Senate Bill No. 8 correctly engrossed.

Placed on file for third reading.

Also reported Senate Joint Resolution No. 2 correctly enrolled.

The judiciary committee made the following report:

Mr. President: Your committee on judiciary have had under consideration Senate Bill No. 9, Senate Bill No. 2 and House Bill No. 6, recommend each of them do pass; also Senate Bill No. 22, Senate Bill No. 23, Senate Bill No. 26, recommend that each of them be printed.

The committee on agriculture and live stock made the following report:

Mr. President: Your committee on agriculture and live stock has had under consideration Senate Bill No. 24 and Senate Bill No. 16, and recommend that each of them be printed.

Printing committee made the following report:

Mr. President: Your committee on printing respectfully report Senate Bill No. 17 and Senate Bill No. 15 each correctly printed.

## —REFERENCE OF REPORTS.

Senate Bill No. 9, Senate Bill No. 2 and House Bill No. 6 referred to general calendar.

House Bill No. 6 for today's calendar.

Senate Bill No. 22, Senate Bill No. 23, Senate Bill No. 26, Senate Bill No. 24, Senate Bill No. 16 referred to printing committee.

Senate Bill No. 17 and Senate Bill No. 15 referred to judiciary committee.\*

## REPORT OF SPECIAL COMMITTEES.

None.

## MESSAGES FROM THE GOVERNOR

None.

## MESSAGES FROM THE HOUSE.

Senate Bill No. 3 referred to the enrolling committee.

## INTRODUCTION OF BILLS.

Senate Bill No. 30—By Rees. An act to prohibit the entry of deficiency judgments in certain cases on the foreclosure of mortgages on real property.

Read first time and referred to the judiciary committee.

## THIRD READING OF BILLS.

Senate Bill No. 8 was read a third time.

The President stated the question: "Shall the bill pass?"

The roll was called with the following result:

Ayes—Senators Browne, Cunningham, Day, Golden, Heitfeld, Myer, Parkinson, Rounds, Watt and President *pro tem.* Bierbower—Total 10.

Nays—Senators Boyce, Hanrahan, Miller, Rees, Smith and Steen—Total, 6.

And so the bill passed, title approved and transmitted to the House.

## RECESS.

At 10:20, on motion of Senator Bierbower, Senate took a recess subject to the call of the chair.

Senate reconvened at 12 m. and proceeded in a body to the House of Representatives to ballot for United States Senator in joint session.

## JOINT CONVENTION.

The joint session was called to order by the Speaker of the House.

Quorum present.

The journal of the joint session of the 12th day was read and approved.

The joint assembly roll was then called with the following result:

Total number of votes cast, 54.

Necessary to a choice, 28.

Mr. Sweet received 21.

Mr. Shoup received 16.

Mr. Clagett received 15.

Mr. Heyburn received 1.

Mr. Browne received 1.

No choice.

Those voting for Mr. Sweet were: Messrs. Bennett, R. S. Browne, Clark, Crane, Day, Dewey, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Gilbert Smith, John L. Smith, Thomas, Thompson, Verbeck, Walker and N. H. Young,

Those voting for Mr. Shoup were: Messrs. Baxter, Bierbower, C. M. Brown, Cowden, Cunningham, Daly, Davis, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance, Wyman and Watt.

Those voting for Mr. Heyburn were—Mr. Cozier.

Those voting for Mr. Browne were—Mr. Gamble.

On motion of Mr. Crane, the joint assembly dissolved.

## RECONVENED.

At 12:20 the Senate reconvened and on motion of Senator Boyce the Senate took a recess until 2 p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 p. m.  
President Mills presiding.

## ROLL CALL.

All present except Senator Dewey.  
Quorum present.

## ADJOURNED.

On motion of Senator Browne, seconded by Senator Boyce, the Senate adjourned until tomorrow morning at 10 o'clock.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## WEDNESDAY—FOURTEENTH DAY.

SENATE CHAMBER, January 23d, 1895.

Senate met pursuant to adjournment at 10 o'clock a. m.  
President *pro tem.* Bierbower presiding.

## ROLL CALL.

All were present except Senator Heitfeld.  
Quorum present.  
Prayer by the chaplain.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

Report of the committee on State affairs.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 28, by Robertson, and beg leave to recommend that the same be laid on the table for the reasons that, in the opinion of your committee, the provisions of the bill are impracticable and the benefits to be derived would not justify the expense.

(Signed) R. ROUNDS, Chairman.  
JOHN E. REES,  
ED. BOYCE,  
G. D. GOLDEN,  
DAY.

Referred to the committee of the whole.

Printing committee made the following report:

Mr. President: Your committee on printing has had under consideration Senate Bill 13, Senate Bill 18, Senate Bill 20, and respectfully report each of them correctly printed. (Signed) GOLDEN.

Senate Bill 13 referred to committee on counties and county boundaries.

Senate Bill 18 and Senate Bill 20 referred to the judiciary committee.

## REPORT OF FINANCE COMMITTEE.

The finance committee made the following report:

BOISE CITY, January 23d, 1895.

Mr. President: Your committee on finance respectfully report that they have had under consideration Senate Concurrent Resolution No. 5 and recommend that the same be favorably reported.

(Signed) BROWNE, Chairman.

BOISE CITY, January 23d, 1895.

Mr. President: Your committee on finance respectfully report that they have had under consideration House Bill No. 1, and recommend that the same be favorably reported.

(Signed) BROWNE, Chairman.

Senate Concurrent Resolution No. 5 and House Bill No. 1, referred to the committee of the whole.

#### CORPORATIONS.

The committee on corporations made the following report:

Mr. President: Your committee on corporations have had under consideration Senate Bill No. 19, and recommend that the same be printed.

(Signed) ROBERTSON.

So ordered.

#### INTRODUCTION OF BILLS.

Senate Bill No. 31, by Watt. An act entitled an act to abolish the counties of Alturas and Logan, and to create and organize the county of Blaine.

Read first time and referred to committee on counties and county boundaries.

#### SECOND READING OF BILLS.

None.

#### THIRD READING OF BILLS.

None.

#### CONSIDERATION OF THE GENERAL CALENDAR.

Senator Browne moved that the Senate go into the committee of the whole.

So ordered.

Senator Golden in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, January 23d, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 2, and the same retained its place on the calendar; Senate Bill No. 5, referred to committee on military and Indian affairs; Senate Bill No. 9, recommend that the same do pass; House Bill No. 6, retained its place on the calendar.

G. D. GOLDEN, Chairman.

On motion of Senator Bierbower the Senate agreed to the report of the committee of the whole as to Senate Bill No. 2; also as to House Bill No. 6.

On motion of Senator Cunningham the Senate agreed to report of the committee of the whole as to Senate Bill No. 9.

Ordered engrossed and passed to third reading.

On motion of Senator Bierbower, Senate Bill No. 5 was recommitted to committee on military and Indian affairs.

On motion of Senator Day, Senate took a recess subject to the call of the chair.

Reconvened at 12 m. and the Senate proceeded in a body to the House of Representatives to ballot for United States Senator.

#### JOINT SESSION.

Joint session called to order by the Speaker of the House, President of joint session.

The journal of the joint session of the 13th day of the legislature was read and approved.

The secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

The joint assembly roll was then called with the following result:

Total number of votes cast, 53.

Necessary to a choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 18 votes.

Mr. Clagett received 15 votes.

Mr. Heyburn received 1 vote.

No choice.

Senator R. S. Browne refused to vote.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Gilbert Smith, John L. Smith, Thomas, Thompson, Verbeck, Walker and N. H. Young

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, C. M. Brown, Cowden, Cunningham, Dewey, Day, Davis, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance, Wyman and Watt.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters and James D. Young.

Those voting for Mr. Heyburn were—Mr. Cozier.

Mr. Wolters moved "That the joint session be now dissolved."

The motion prevailed.

#### RECONVENED.

At 12:20 the Senate reconvened, and on motion of Senator Day, seconded by Senator Bierbower, the Senate adjourned until 10 a. m., January 24th, 1895.

#### THURSDAY—FIFTEENTH DAY.

SENATE CHAMBER, January 24th, 1895.

The Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

#### ROLL CALL.

All present.

Quorum present.

Prayer by chaplain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

Senator Day presented petition from citizens of Lewiston, Idaho, asking for the passage of House Bill No. 1.

Petition referred to the committee of the whole.

#### REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 9, by Bierbower, and beg leave to report the same correctly engrossed.

(Signed) R. ROUNDS, Chairman.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 3, by Cunningham, and beg leave to report the same correctly enrolled, and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency the Governor at 11:15 a. m., January 23d, 1895.

(Signed) R. ROUNDS, Chairman.

Committee on printing made the following report:

BOISE CITY, January 24th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills Nos. 16, 19, 22, 23, 24, 26, and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 16, recommended that the same do pass.

Senate Bill No. 19 placed on calendar.

Senate Bill No. 22 referred to judiciary committee.

Senate Bill No. 23 referred to judiciary committee.

Senate Bill No. 24 referred to committee on agriculture.

Senate Bill 26 referred to judiciary committee.

Committee on counties and county boundaries make the following report:

BOISE CITY, January 23d, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No 31, by Watt, and recommend that the same be ordered printed.

PARKINSON, Chairman.

BOISE CITY, January 23d, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No. 13, by Smith, and recommend that the same do pass.

PARKINSON, Chairman.

Senate Bill No. 31 reported back and ordered printed.

Senate Bill No. 13 reported back and recommended that the bill do pass.

The judiciary committee make the following report:

BOISE CITY, January 24th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration House Joint Resolution No. 1 and recommend that they same do pass.

BIERBOWER, Chairman.

BOISE CITY, January 24th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration Senate Bills Nos. 18 and 20 and recommend that the same do pass.

BIERBOWER, Chairman.

BOISE CITY, January 24th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration Senate Bill No. 30 and recommend that the same be printed.

BIERBOWER, Chairman.

House Joint Resolution No. 1 reported back with the recommendation that the same do pass.

Senate Bill No. 18 reported back and recommended that the same do pass.

Senate Bill No. 20 reported back and recommended that the same do pass.

Senate Bill No. 30 reported back and ordered printed.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, January 22d, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bills Nos. 15 and 23; also House Concurrent Resolutions Nos. 4 and 5, which are herewith transmitted. Respectfully,

J. H. GWINN, Chief Clerk.

FIRST READING OF BILLS.

Senate Bill No. 32—By Steen. Read first time and referred to committee on education.

Senate Bill No. 33—By Boyce. Read first time and referred to the judiciary committee.

Senate Bill No. 34—By Heitfeld. Read first time and referred to committee on agriculture.

SECOND READING OF BILLS.

None.

THIRD READING OF BILLS.

Senate Bill No. 9 was read the third time.

The President stated the question to be: "Shall the bill pass?"

Roll was called with the following result:

Those voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, Mr. President *pro tem.* Bierbower.

Ayes—17.

Absent—Mr. Browne.

At 11:10 a. m., on motion of Senator Cunningham, the Senate took a recess subject to the call of the chair.

RECONVENED.

Senate reconvened at 12 o'clock and proceeded in a body to the House of Representatives to ballot for United States Senator.

JOINT SESSION.

Joint session was called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint session was read and approved.

The joint assembly roll was then called with the following result:

Total number of votes cast, 54.

Necessary to choice, 28 votes.

Mr. Sweet received 19 votes.

9—SJ

Mr. Shoup received 20 votes.

Mr. Claggett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cunningham, Cozier, Cowden, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Mr. .... moved "That the joint session be now dissolved."  
Motion prevailed.

#### RECONVENED.

At 12:15 o'clock p. m. the Senate reconvened.

On motion of Senator Cunningham, seconded by Senator Rounds, the Senate took a recess until 2 o'clock p. m.

The Senate convened pursuant to adjournment at 2 o'clock p. m.  
President Mills presiding.

#### ROLL CALL.

All Senators present.

Quorum present.

On motion of Senator Cunningham the Senate resolved itself into a committee of the whole.

Senator John E. Rees in the chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, January 24th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 2 and recommend that it lay over until tomorrow. House Bill No. 6, and recommend that the same do pass. Senate Concurrent Resolution No. 5, and recommend that it do pass. Senate Bill No. 28, and recommend it to be indefinitely postponed. House Bill No. 1, and recommend its passage.

JOHN E. REES, Chairman.

House Bill No. 6 filed for third reading.

Senate Concurrent Resolution No. 5 adopted and transmitted to the House.

Senate Bill No. 28 indefinitely postponed.

House Bill No. 1 filed for third reading.

#### MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, January 24th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

GENTLEMEN: I have this day signed Senate Bill No. 3, An act to repeal an act entitled "An act to prescribe the mode of payment of all obligations of debt to be paid in money." The law which this was intended to repeal was passed by the second session of the Idaho legislature, receiving the unanimous vote of all the members present in both

houses. The members of the three political parties which comprised the membership of that session seemed to vie with each other in support of the bill, thereby hoping to fix their status as friends of free coinage. It was one of those spontaneous, emotional acts which characterize legislative bodies. When I signed the bill I did so under the belief that while it could not possibly help to advance the price of silver, it would not do any harm and might be taken as a proof of the loyalty of the people of Idaho to the white metal.

The experience of the last two years has shown that my views as to the effect of the law on the price of silver were correct, that metal being lower in price than when the law took effect; in fact, the measure has accomplished no good, while its influence has been detrimental to the business interests of the State by creating an uncertainty in the minds of investors.

I believe that you have supported and passed this bill for the reasons I name and not through any unfriendly spirit to silver, else I would not have signed it. Very respectfully yours,

W. J. McCONNELL, Governor.

On motion of Senator Dewey the Senate adjourned until tomorrow morning at 10 o'clock.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### FRIDAY—SIXTEENTH DAY.

SENATE CHAMBER, January 25th, 1895.

The Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

#### ROLL CALL.

All present.

Quorum present.

Prayer by the chaplain.

The journal of yesterday was read and approved.

#### PETITIONS AND MEMORIALS.

Senate Joint Memorial No. 3 introduced and referred to the committee on public lands.

#### REPORTS OF STANDING COMMITTEES.

The irrigation committee made the following report:

House Concurrent Resolution No. 5, recommend that the same pass as amended.

House Concurrent Resolution No. 5 read and on motion of Cunningham passed and was transmitted to the House of Representatives.

Committee on State affairs made the following report:

Mr. President: Your committee on State affairs has had under consideration Senate Joint Resolution No. 5 and recommend that the same be indefinitely postponed, House Concurrent Resolution No. 4 and recommend non-concurrence. Senate Bill No. 27 and recommend that the same be printed.

R. ROUNDS, Chairman.

Senate Joint Resolution No. 5 referred to the committee of the whole.

House Concurrent Resolution No. 4, on motion of Senator Rounds, seconded by Senator Day, this resolution was not concurred in.

Senate Bill 27 referred to printing committee.

#### MESSAGES FROM THE GOVERNOR.

None.

## MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 24th, 1895.

Mr. President: I am instructed to inform you honorable body that the House of Representatives has had under consideration and passed House Bills No. 26, 27, 29, 46, and House Joint Memorial No. 2, which are herewith transmitted.

Respectfully,

J. H. GWINN, Chief Clerk.

House Bill No. 26 filed for first reading.

House Bill No. 27 filed for first reading.

House Bills No. 29 and 46 filed for first reading.

House Joint Memorial No. 2 filed for first reading.

## MOTIONS AND RESOLUTIONS.

None.

Mr. Thomas D. Page tendered his resignation as journal clerk of the Senate.

Resignation accepted.

S. C. John was elected journal clerk of the Senate to fill the vacancy caused by the resignation of Mr. Thomas D. Page.

## INTRODUCTION OF BILLS.

House Joint Memorial No. 2—By Wyman.

Referred to committee on irrigation and water rights.

Senate Bill No. 35—By Robertson.

Referred to judiciary committee.

House Bill No. 26.

Referred to committee on finance.

House Bill No. 27—By Wyman.

Referred to judiciary committee.

House Bill No. 29—By Wyman.

Referred to judiciary committee.

House Bill No. 46—By Wyman.

Referred to judiciary committee.

## SECOND READING OF BILLS.

None.

## THIRD READING OF BILLS.

House Bill No. 1 read the third time, and the President stated: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Messrs. Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Myer, Parkinson, Robertson, Rounds, Smith, Steen, Watt, Mr. President *pro tem.* Bierbower.

Voting no—None.

Absent—Messrs. Boyce, Browne, Miller, Rees.

Title read and approved and bill transmitted to the House.

House Bill No. 6 read the third time, and the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Messrs. Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower.

Voting no—None.

Absent—Messrs. Boyce and Browne.

Title read and approved and bill transmitted to the House.

CONSIDERATION OF GENERAL CALENDAR.

On motion of Senator Bierbower, seconded by Senator Watt, the Senate resolved itself into a committee of the whole.

Senator Watt in chair.

Senator Bierbower moved that when the Senate adjourned for the day that it adjourn until 10 o'clock Monday morning.

Motion prevailed.

Committee of the whole made the following report:

BOISE CITY, January 25th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 2 and recommend favorably. Senate Bill No. 19 retain its place on the calendar. Senate Bill No. 20, recommend that the same do pass.

W. H. WATT, Chairman.

On motion of Senator Bierbower the Senate took a recess until 11:55 o'clock a. m.

Senate reconvened at 11:55 o'clock a. m. and proceeded in a body to the House of Representatives to ballot for United States Senator.

JOINT SESSION.

The joint session called to order by the President of the Senate.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint session was read and approved.

The joint assembly roll call was had with the following result:

Total number of votes cast, 54.

Necessary to choice, 28 votes.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—Total, 19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—Total, 20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—Total, 15.

Mr. Dewey moved to proceed to ballot.

The motion by Mr. Wolters to dissolve joint assembly was lost.

Mr. Crane moved that the joint session adjourn until 2:30 o'clock p. m.

Motion prevailed.

RECONVENED.

At 12:30 the Senate reconvened in the Senate chamber.

MOTION.

Senator Cunningham moved that the vote by which the Senate agreed, when it adjourned, to adjourn to Monday morning, January 28th, 1895, be reconsidered.

Senator Bierbower seconded the motion to reconsider.

The motion prevailed.

The original motion to adjourn until Monday, January 28th, 1895, was withdrawn, no objection being offered.

At this point the Senator from Latah raised the point of order that as the joint convention had not dissolved, but was now in recess, the Senate could do no business during such recess.

The point of order was overruled by the President, who held that the joint convention being in session for a particular purpose could by order bind either house acting separately except as to that particular purpose.

If a proper order of the joint convention conflicts with an order of either house acting separately, then the order of the joint convention must take precedence. In the present instance there is no such conflict. The joint convention has taken a recess until 11:55 o'clock tomorrow morning with no provision for reconvening sooner, so that the Senate may meet and do business as a Senate without conflicting in any way with any order of the joint convention.

The chair is of the opinion that the Senate may meet, take a recess or adjourn without reference to the meeting or taking of recess or adjournment of the joint convention, but that if such orders of the Senate conflict as to time of meeting with an order of the joint convention, then the order of the Senate must be void. There is no such conflict in this instance.

Ruling acquiesced in by the Senate.

JOINT SESSION.

Joint session reconvened at 2:30 o'clock p. m.

Mr. Dewey's motion to ballot, carried.

The joint assembly roll call was then had with the following result:

Total number of votes cast, 54.

Necessary to a choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Claggett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Claggett were: Messrs. Boyce, Hanrahan,

Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Crane the joint assembly was dissolved.

Senate reconvened in Senate chamber.

Senate Bill No. 2 filed for second reading.

Senate Bill No. 20 ordered engrossed and filed for third reading.

On motion of Senator Bierbower, the Senate adjourned until 10 a. m. o'clock Monday morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### SATURDAY—SEVENTEENTH DAY.

SENATE CHAMBER, January 26th, 1895.

The Senate met pursuant to adjournment at 11:50 o'clock a. m.

President Mills presiding.

#### ROLL CALL.

All present.

Quorum present.

Prayer by the chaplain.

Journal of yesterday (Friday) read and approved.

The Senate now proceeded in a body to the House of Representatives to ballot for United States Senator.

#### JOINT SESSION.

Joint session called to order by the President of the Senate.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. Speaker.

Quorum present.

The joint assembly roll was called with the following result:

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Gamble, Glenn, Golden, Johnson, McMillan, Vance, Wyman, Watt—19

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Crane the joint assembly was dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock Monday morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

MONDAY—EIGHTEENTH DAY.

SENATE CHAMBER, January 28th, 1895.

Senate met pursuant to adjournment at 10 o'clock a. m.

President *pro tem.* Bierbower presiding.

ROLL CALL.

All present.

Quorum present.

Prayer by the chaplain.

Journal of Saturday, January 26th, 1895, read and approved.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, January 28th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 20, by Bierbower, and beg leave to report the same correctly engrossed.

R. ROUNDS, Chairman.

Senate Bill No. 20 filed for third reading.

Committee on printing made the following report:

BOISE CITY, January 28th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 27, 30, 31, and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 27 referred to the committee on State affairs.

Senate Bill No. 30 referred to committee on judiciary.

Senate Bill No. 31 referred to committee on counties and county boundaries.

The committee on public lands reported that they have had under consideration Senate Joint Memorial No. 3 and recommend that the same be printed.

So ordered.

MESSAGES FROM THE GOVERNOR.

None.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 25th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Concurrent Resolution No. 6, which is herewith transmitted.

Respectfully,

J. H. GWINN, Chief Clerk.

House Concurrent Resolution No. 6 referred to committee on State affairs.

MOTIONS AND RESOLUTIONS.

None.

## INTRODUCTION OF BILLS.

Senate Bill No. 36—By Cunningham. An act to provide for the payment of officers, members and employees and for the general expenses of the third session of the Idaho legislature

Read first time and referred to the committee on finance.

## SECOND READING OF BILLS.

Senate Bill No. 2 was read a second time.

Senator Browne "Moved that the bill be ordered engrossed and passed for third reading."

Roll was called with the following result:

Voting aye—Senators Boyce, Browne, Dewey, Golden, Hanrahan, Heitfeld, Miller, Rees, Steen, Watt—10.

Voting no—Senators Cunningham, Day, Myer, Parkinson, Robertson, Rounds, Smith, Mr. President *pro tem.* Bierbower—8.

The motion prevailed.

## THIRD READING OF BILLS.

Senate Bill No. 20 was read a third time, and the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, Mr. President *pro tem.* Bierbower—17.

Voting no—Senator Boyce.

Title read and approved and bill transmitted to the House.

## RECESS.

On motion of Senator Cunningham the Senate took a recess subject to the call of the chair.

## RECONVENED.

The Senate now proceeded in a body to the House of Representatives to ballot for United States Senator.

## JOINT SESSION.

The joint session called to order by the Speaker of the House. Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. Clark.

Quorum present.

The joint assembly roll was then called with the following result:

Total number of votes cast, 52.

Necessary to a choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Messrs. Brown and Clark paired.

Those voting for Mr. Sweet were—Messrs. Bennett, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cozier, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Gamble, Glenn, Golden, Johnson, McMillan, Vance, Watt, Wyman—19.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Senator Browne moved that the joint assembly now proceed to ballot for United States Senator.

Motion prevailed.

Joint assembly roll was then called with the following result:

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

✓ Mr. Shoup received 19 votes.

Mr. Claggett received 15 votes.

No choice.

Mr. C. M. Brown and Mr. Clark were paired on senatorial vote.

Those voting for Mr. Sweet were—Messrs. Bennett, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cozier, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Gamble, Glenn, Golden, Johnson, McMillan, Vance, Watt, Wyman—19.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Johnson the joint assembly was dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion adjourned until 2 o'clock p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 p. m.

President *pro tem.* Bierbower presiding.

#### ROLL CALL.

All present except Senator Boyce.

Quorum present.

On motion of Senator Robertson the Senate resolved itself into a committee of the whole for consideration of the general calendar.

The committee arose to receive a message from the House concerning Senate Joint Resolution No. 3.

Report filed.

The committee arose to receive a message from the Governor.

Message filed.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, January 28th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bills No. 19 and 18, and recommend that the same do pass.

J. E. STEEN, Chairman.

Senate Bill No. 19, on motion of Senator Watt, was read a second time by title, ordered engrossed and placed on file for its third reading.

Senate Bill No. 18, on motion of Senator Watt, was read a second time by title, ordered engrossed and placed on file for its third reading.

MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 28th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Joint Resolution No. 3 as amended, by Parkinson, which is herewith transmitted.

Respectfully,

J. H. GWINN, Chief Clerk.

On motion of Senator Parkinson the rules were suspended, the House amendment concurred in and the Senate Joint Resolution No. 3 ordered enrolled.

On motion of Senator Steen the Senate adjourned until tomorrow morning at 10 o'clock.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

TUESDAY—NINETEENTH DAY.

SENATE CHAMBER, January 29th, 1895.

Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

ROLL CALL.

All present.

Quorum present.

Prayer by chaplain.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

The judiciary committee made the following report:

BOISE CITY, January 28th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration Senate Bill No. 23, and recommend that the same do pass. Senate Bills No. 33 and 35 and recommend that the same be printed.

BIERBOWER, Chairman.

Senate Bill No. 23 referred to committee of the whole.

Senate Bills No. 33 and 35 referred to the printing committee.

The printing committee made the following report:

BOISE CITY, January 29th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Joint Memorial No. 3 and that the same has been correctly printed.

G. D. GOLDEN, Chairman.

Senate Joint Memorial No. 3 placed on calendar and referred to committee of the whole.

Committee on State affairs made the following report:

BOISE CITY, January 29th, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 27, by Myer, and beg leave to recommend

that the same do pass; also House Concurrent Resolution No. 6, and recommend that we do not concur for the reason that, in the opinion of your committee, it would be an unwarranted interference with the prerogatives of the legislature of Oregon, and would have a tendency to result in the election of a Senator opposed to silver rather than otherwise.

R. ROUNDS, Chairman.

House Concurrent Resolution No. 6 referred to committee of the whole.

Senate Bill No. 27 referred to committee of the whole.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, January 29th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bills No. 18, 19 and 2 and beg leave to report the same correctly engrossed.

R. ROUNDS, Chairman.

Senate Bill No. 18 filed for third reading.

Senate Bill No. 19 filed for third reading.

Senate Bill No. 2 filed for third reading.

#### MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, January 28th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: The act of Congress providing for the admission of Idaho carried with it, for our benefit, the donation of a large tract of land for various purposes, aggregating 622,000 acres.

The State Board of Land Commissioners, as is their duty, have exercised all possible diligence to locate and secure title to these lands, and we have already located, as shown by the reports of the State Board, 415,508 acres, of which amount we have had patented to the State, 264,097 acres, and I hope during the next two years, if you make the necessary appropriation, to secure title to the entire grant.

As chairman of the board, I may say to you that we feel a just pride in our accomplishments in that direction, but as Governor of the State, it is my duty to lay before you the fact that, while future generations may be benefited by our diligence and energy, the growth and development of the State cannot be otherwise than retarded seriously by the withdrawal from settlement of the best lands within our borders. The law granting us these lands provided that none of them should be sold for less than \$10.00 per acre, which is practically a prohibitory price, for the reason that while the general government compels us to ask and maintain that figure, the Land Department in Washington is in the market as our competitor, offering adjacent lands for \$1.25 per acre. We are in a position where we must refuse to receive what was supposed to be a generous gift from the government, or as a State, stand in the light of an individual of means, who secures large tracts of real estate, by purchase or otherwise, and refuses to improve them, thereby retarding the progress of the community in which he is located, with this difference. The private individual or corporation may be taxed for the benefit of schools or other adjuncts of civilization, while the State cannot.

Prior to our admission nearly all the lands of North Idaho susceptible of cultivation had been located and those valleys in the southern part of the State, upon which water could be easily turned, were occupied; consequently we were obliged to make our locations either in the mountains where the lands are only valuable for the timber, or upon those arid plateaus where the expense of bringing water upon the

lands is beyond the reach of the State, in consequence of the limit placed upon our indebtedness by the Constitution, or the means of private individuals.

The expense per acre to divert water upon these lands is so great that if the settler is compelled in addition to that to pay \$10 or upwards, per acre for the land in its wild arid state, it brings the cost beyond the reach of home seekers.

I believe that you should, during this session, memorialize Congress to either aid the State by an appropriation to assist us in irrigating our arid lands, or else they should remove the restriction as to price, for to the thoughtful mind it must be apparent that it would be better for those who will occupy the State during the next fifty years to refuse to accept these arid lands, than to locate them to the prevention of settlement during that period, for we cannot sell any lands other than our school sections and those located for their timber at the minimum price fixed in the admission act.

I herewith transmit copy of memorial which I think would be proper to adopt.

Very respectfully yours,

W. J. McCONNELL, Governor.

Message and memorial filed and referred to committee on public lands.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 37 read first time and referred to committee on irrigation and water rights.

Senate Bill No. 37, introduced by Senator Bierbower.

Senate Bill No. 38—By Cunningham.

Read first time and referred to committee on corporations.

Senate Bill No. 39—By Cunningham.

Read first time and referred to judiciary committee.

The President announced that he was about to sign—

House Bill No. 6.

House Memorial No. 2.

House Bill No. 1.

House Concurrent Resolution No. 3.

Senate Joint Resolution No. 3.

#### SECOND READING OF BILLS.

None.

#### THIRD READING OF BILLS.

Senate Bill No. 20—By Bierbower.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt—14.

Voting no—None.

Absent—Browne, Miller, President *pro tem.* Bierbower.

Title read and approved and bill transmitted to the House.

Senate Bill No. 18—By Watt.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt—16.

Absent—President *pro tem.* Bierbower, Browne.

Title read and approved and bill transmitted to the House.

Senate Bill No. 2—By Browne.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill failed to pass by the following vote:

Voting aye—Boyce, Browne, Hanrahan, Miller, Rees, Steen—6.

Voting no—Senators Cunningham, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Watt, Mr. President *pro tem.* Bierbower—10.

Excused from voting—Senators Dewey, Heitfeld—2.

Senate Bill No. 19—by Watt.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, Mr. President *pro tem.*—17.

Voting No—Senator Browne—1.

Title read and approved and bill transmitted to the House.

On motion of Senator Robertson the Senate took a recess until 11:55 o'clock a. m.

#### RECONVENED.

The Senate now proceeded in a body to the House of Representatives to ballot for United States Senator.

#### JOINT SESSION.

Joint session called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

The joint assembly roll call was had with the following result:

Total number of votes cast, 54.

Necessary to choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cozier, Cunningham, Daly, Davis,

Dewey, Elder, Fletcher, Gamble, Glenn, Golden, Johnson, McMillan, Vance, Watt, Wyman—20.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Mr. Cunningham made a motion to dissolve the joint assembly.

Motion lost.

On motion of Mr. Crane, seconded by Mr. Neill, the joint assembly proceeded to ballot for a United States Senator.

The joint assembly roll was then called with the following result:

Total number of votes cast, 54.

Necessary to choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Claggett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Baxter, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cozier, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Gamble, Golden, Johnson, McMillan, Vance, Watt, Wyman—20.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Mr. Johnson moved that the joint assembly be now dissolved.

Motion prevailed.

Senate reconvened in Senate chamber.

On motion of Senator Dewey the Senate adjourned until 2 p. m.

#### AFTERNOON SESSION.

Senate met at 2 p. m. pursuant to adjournment.

President Mills presiding.

#### ROLL CALL.

All present except Senators Browne, Heitfeld, Miller and Parkinson.

Quorum present.

By unanimous consent Senator Day introduced Senate Joint Resolution No. 5 and made a motion that section 15, article 3 of the Constitution and the rules of the Senate be suspended and that Senate Joint Resolution No. 5 be read a second time by title, a third time at length and placed upon its final passage.

Motion prevailed.

Sixteen Senators voting aye.

Senators Browne and Heitfeld absent.

Senate Joint Resolution No. 5—By Day.

Read a third time.

And the President stated the question: "Shall the bill pass?"

Roll called and bill passed by the followin vote:

Voting aye—Senators Boyce, Cunningham, Day, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, Mr. President *pro tem.* Bierbower—15.

Voting no—Senator Dewey.

Absent—Senators Browne, Heitfeld.

Title approved and bill transmitted to the House.

By unanimous consent Senator Day called for Senate Joint Memorial No. 3 and made a motion that section 15, article 3 of the Constitution and the rules of the Senate be suspended, and that Senate Joint Memorial No. 3 be read a second time by title and a third time at length and placed upon its final passage.

Motion prevailed.

Seventeen Senators voting aye.

Senator Browne absent.

Senate Joint Memorial No. 3 read a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, Mr. President *pro tem.* Bierbower.

Absent—Senator Browne.

Title approved and bill transmitted to the house.

On motion of Robertson, seconded by Watt, the Senate resolved itself into a committee of the whole, with Senator Dewey in the chair.

Committee arose to receive a communication from the house.

Message filed.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, January 29th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 13, by Smith, and recommend that the bill pass as amended. House Joint Resolution No. 1, by Wyman, and recommend that the same do pass. Senate Joint Resolution No. 6, and recommend that the same be indefinitely postponed.

E. H. DEWEY, Chairman.

Senate Bill No. 13 ordered engrossed and filed for a third reading.

House Joint Resolution No. 1 read and filed for third reading.

Senate Joint Resolution No. 6, on motion of Senator Bierbower, was indefinitely postponed.

On motion of Senator Rees the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### WEDNESDAY—TWENTIETH DAY.

SENATE CHAMBER, January 30th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

#### ROLL CALL.

All present.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

By unanimous consent Senator Rounds introduced Senate Joint

Memorial No. 4 and moved that section 15, article 3 of the Constitution and the rules of the Senate be suspended and Senate Joint Memorial No. 4 read a second time by title, a third time at length and placed on its final passage.

Motion prevailed.

Fifteen Senators voting aye.

Senator Brown absent.

Senator Steen excused from voting.

Senator Rees voting no.

Senate Joint Memorial No. 4—By Rounds.

Read a third time.

And the President stated: "Shall the memorial pass?"

Roll called and memorial passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Browne, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Voting no—Senator Rees.

Title read and approved and memorial transmitted to the House.

#### REPORTS OF STANDING COMMITTEES.

Judiciary committee made the following report:

BOISE CITY, January 30th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration House Bill No. 23 and recommend that it do pass; Senate Bill No. 17, and recommend that it pass as amended; Senate Bill No. 39, and recommend that the same be printed; Senate Bill No. 26, and a majority report, and recommend that the bill do not pass, (Bierbower, Parkinson, Dewey,) and a minority recommend that it do pass (Senators Rees and Steen). BIERBOWER, Chairman.

House Bill No. 23 referred to general calendar.

Senate Bill No. 17 placed on calendar.

Senate Bill No. 26 placed on calendar.

Senate Bill No. 39 ordered printed.

Committee on education make the following report:

BOISE CITY, January 30th, 1895.

Mr. President: Your committee on education respectfully report that they have had under consideration Senate Bill No. 32 and recommend that the same be printed. DAY, Chairman.

Senate Bill No. 32 ordered printed.

Committee on engrossed and enrolled bills make the following report:

BOISE CITY, January 30th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Resolution No. 3, by Parkinson, and beg leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency, the Governor, at 11 o'clock a. m., January 29th, 1895.

R. ROUNDS, Chairman.

Committee on irrigation and water rights make the following report:

BOISE CITY, January 30th, 1895.

Mr. President: Your committee on irrigation and water rights

have had under consideration Senate Bill No. 37 and recommend that the same be printed. CUNNINGHAM, Chairman.

Senate Bill No. 37 ordered printed.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO,——

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 16, which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 16 placed on file for first reading.

MOTIONS AND RESOLUTIONS.

Senate Joint Resolution No. 7—By Browne.

Was read first time and referred to committee on finance.

INTRODUCTION OF BILLS.

Senate Bill No. 40—By Robertson.

Read first time and referred to committee on corporations.

House Bill No. 16.

Read first time and referred to committee on counties and county boundaries.

SECOND READING OF BILLS.

None.

THIRD READING OF BILLS.

House Joint Resolution No. 1.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, Mr. President *pro tem*. Bierbower—18.

On motion of Senator Robertson the Senate took a recess until 11:55 o'clock.

RECONVENED.

Senate reconvened at 11:55 a. m.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,  
BOISE CITY, January 29th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Joint Resolution No. 3, by Parkinson. Very respectfully yours,

W. J. McCONNELL, Governor.

The Senate now proceeded in a body to the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint session called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

Joint assembly roll was called with the following result:

Total number of votes cast, 54.

Necessary to choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cozier, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Gamble, Glenn, Golden, Johnson, McMullan, Vance, Watt, Wyman—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Senator Dewey moved that the joint assembly ballot for a United States Senator.

Motion seconded by Boyce.

Mr. Crane moved that the joint assembly take a recess until 2:30 o'clock p. m.

Motion seconded by Henry.

Motion prevailed.

#### RECONVENED.

The Senate reconvened in the Senate chamber.

On motion of Senator Dewey, seconded by Senator Bierbower, the Senate adjourned until 2:20 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:20 o'clock p. m.

President Mills presiding.

Roll called.

All present.

Quorum present.

By unanimous consent Senator Browne introduced Senate Joint Resolution No. 8.

Senate Joint Resolution No. 8 referred to committee on engrossed and enrolled bills.

#### RECESS.

#### JOINT SESSION.

Joint assembly met pursuant to adjournment at 2:30 o'clock p. m.

Speaker of the House presiding.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

The question occurred on motion of Dewey to proceed to ballot.

Motion prevailed.

Joint assembly roll called with the following result:

Total number of votes cast, 54.

Necessary to choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Claggett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cozier, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Gamble, Glenn, Golden, Johnson, McMillan, Vance, Watt, Wyman—20.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

The joint assembly proceeded to ballot for a United States Senator with the following result:

Joint assembly roll called with the following result:

Total number of votes cast, 54.

Necessary to a choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Claggett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Wyman, the joint assembly was dissolved.

#### RECONVENED.

Senate reconvened in Senate chamber at 2:40 p. m.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, January 30th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 13, by Smith, and beg leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senator Steen excused.

Senate Bill No. 13 read a third time and on motion of Senator

Smith, who was given unanimous consent, the text was perfected and Senate Bill No. 13 was adopted as perfected by unanimous vote and the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower.

Voting no—Senator Day.

Senator Steen excused

Title read and approved.

Message from the House filed.

On motion of Senator Myer, seconded by Senator Watt, the Senate resolved itself into a committee of the whole.

Parkinson in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, January 30th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 27, by Myer, and recommend that the same do pass. House Concurrent Resolution No. 6, by Brown, and recommend non-concurrence. PARKINSON, Chairman.

Senate Bill No. 27, Senator Dewey objecting to have the bill read by title, was filed for second reading.

House Concurrent Resolution No. 6. On motion of Senator Rounds this resolution was not concurred in.

Messages from the House were read and considered by unanimous consent.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 6, by Rounds, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bill No. 6 referred to committee on engrossed and enrolled bills.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and concurred in Senate amendment to House Concurrent Resolution No. 5, by Clark, which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Concurrent Resolution No. 5 filed.

The President announced that he would appoint said committee tomorrow.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 30th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and adopted House Concurrent Resolution No. 7, by Brown, which is herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

Rules suspended and the Senate concurred in House Concurrent Resolution No. 7, and transmitted same to the House.

On motion of Senator Dewey the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

THURSDAY—TWENTY-FIRST DAY.

SENATE CHAMBER, January 31st, 1895.

The Senate met pursuant to adjournment at 10 o'clock a. m.  
President Mills presiding.

ROLL CALL.

All present except Senators Steen (excused), Watt and Robertson.  
Quorum present.

Prayer by the chaplain.

The journal of yesterday read and approved.

The President announced the following appointments to committees.

Joint committee on irrigation—Senators Cunningham and Parkinson.

Joint committee on revenue bill—Senators Browne and Watt.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills make the following report:

BOISE CITY, January 30th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Resolution No. 8, by Browne, and recommend that the same do pass.

R. ROUNDS, Chairman.

Committee on counties and county boundaries make the following report:

BOISE CITY, January 31st, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No. 31, and report progress and ask for further time.

PARKINSON, Chairman.

Committee on printing made the following report:

BOISE CITY, January 31st, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 33, 35, 37, and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 33 referred to committee on judiciary.

Senate Bill No. 35 referred to committee on judiciary.

Senate Bill No. 37 referred to committee on irrigation and water rights.

Committee on finance made the following report:

BOISE CITY, January 31st, 1895.

Mr. President: Your committee on finance respectfully report that they have had under consideration Senate Bills No. 7, 24, 36, 11, 21, and Senate Joint Resolution No. 7 and recommend that the same be printed; Senate Bill No. 4, recommend that it do pass; House Bill No. 26, and recommend that the same pass; Senate Bills No. 36, 11, 21 and Senate Joint Resolution No. 7, report favorably.

R. S. BROWNE, Chairman.

Senate Bill No. 7 referred to printing committee.

Senate Bill No. 4 placed on calendar.

Senate Bills No. 24, 36, 11, and Senate Joint Resolution No. 7, referred to printing committee.

House Bill No. 26 placed on calendar.

Senate Bill No. 21 referred to printing committee.

Committee on irrigation and water rights made the following report:

BOISE CITY, January 31st, 1895.

Mr. President: Your committee on irrigation and water rights has had under consideration Senate Bill No. 37 and recommend that the same do pass.

CUNNINGHAM, Chairman.

Senate Bill No. 37 placed on calendar.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 41—By Bierbower.

Read first time and referred to committee on corporations.

Senate Bill No. 42—By Boyce.

Read first time and referred to committee on finance.

Senate Bill No. 43—By Dewey.

Read first time and referred to committee on State affairs.

#### SECOND READING OF BILLS.

Senate Bill No. 27 read second time, ordered engrossed and passed to third reading.

Senate Joint Resolution No. 8.

On motion of Senator Browne, seconded by Senator Miller, section 15, article 3 of the Constitution and the rules of the Senate were suspended and Senate Joint Resolution No. 8 read a second time by title, a third time at length and placed on its final passage.

Twelve Senators voting for suspension of rules.

Absent—Senators Rees, Robertson, Smith, Steen, Watt, President *pro tem.* Bierbower.

Senate Joint Resolution No. 8.

Read a third time.

And the President stated: "Shall the resolution pass?"

Roll called and resolution passed by the following vote.

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds—13.

Absent—Senators Robertson, Smith, Steen, Watt, President *pro tem.* Bierbower.

#### THIRD READING OF BILLS.

None.

#### CONSIDERATION OF GENERAL CALENDAR.

On motion of Senator Browne the Senate took a recess subject to the call of the chair.

Senate reconvened at 11:55 a. m.

Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Steen.

Clerk of the House called the roll of the House.

All present

Quorum present.

Joint assembly roll called with the following result:

Total number of votes cast, 53.

Necessary to choice, 27.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Claggett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Wolters, Waring, Young, James D.—14.

On motion of Senator Dewey the joint assembly adjourned until 2 o'clock p. m.

#### RECONVENED.

Senate reconvened in Senate chamber and, on motion of Senator Dewey, the Senate adjourned until 1:55 p. m.

#### RECONVENED.

Senate met pursuant to adjournment at 1:55 p. m.

President Mills presiding.

Senate took a recess until after the meeting of the joint assembly.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Steen.

Clerk of the House called the roll of the House.

All present.

Mr. Clark was paired with Mr. C. M. Brown on voting for United States Senator.

Joint assembly roll called with the following result:

Whole number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Claggett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Wolters, Waring, Young, James D.—14.

On motion of Mr. Cowden the joint assembly was dissolved.

Senate reconvened in the Senate chamber.

President Mills presiding.

On motion of Senator Bierbower the Senate resolved itself into the committee of the whole.

With Senator Cunningham in the chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, January 31st, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 23, by Bierbower, and recommend the bill pass. Senate Bill No. 26, by Rees, and recommend that the bill be indefinitely postponed. Senate Bill No. 17, by Golden, and recommend that the bill pass as amended. House Bill No. 23, by Neill, and recommend that it retain its place on the calendar.

CUNNINGHAM, Chairman.

Senate Bill No. 23.

Read second time by title, ordered engrossed and filed for third reading.

Senate Bill No. 26.

On motion of Bierbower, seconded by Golden, this bill was indefinitely postponed.

Senate Bill No. 17.

Read second time by title, amendment ordered printed and when printed, ordered engrossed as amended and filed for third reading.

House Bill No. 23.

Ordered that this bill retain its place on the calendar.

NOTE.—The amendment to Senate Bill No. 17 was striking out the word "thirty" and inserting in lieu thereof the word "sixty," in line four of said bill.

On motion of Senator Dewey, seconded by Senator Bierbower, the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### FRIDAY—TWENTY-SECOND DAY.

SENATE CHAMBER, February 1st, 1895.

The Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

#### ROLL CALL.

All present except Senators Cunningham, absent, and Steen, excused.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

None.

12—SJ

## REPORTS OF STANDING COMMITTEES.

Committee on printing made the following report:

BOISE CITY, February 1st, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 39, 11, 32, 36, 7, 21, and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 36 placed on calendar.

Senate Bills No. 21 and 7 placed on calendar.

Senate Bill No. 39 referred to judiciary committee.

Senate Bill No. 32 referred to committee on education.

Senate Bill No. 11 referred to committee of the whole.

Committee on highways, bridges and ferries make the following report:

BOISE CITY, IDAHO, February 1, 1895.

Mr. President: Your committee on highways, bridges and ferries have had under consideration Senate Bill No. 25 and recommend that the same be printed as amended.

MYER, Chairman.

Senate Bill No. 25 referred to committee on printing.

Committee on engrossed and enrolled bills make the following report:

BOISE CITY, February 1st, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 27, by Myer; Senate Bill No. 17, by Golden, and Senate Bill No. 23, by Bierbower, and beg leave to report the same correctly engrossed.

ROUNDS, Chairman.

## INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 44—By Browne. An act to ratify and confirm action of the regents of the State University and to establish the Collège of Agriculture.

Senate Bill No. 44—By Browne.

Read first time and referred to committee on education.

Senate Bill No. 45—By Watt. An act for the relief of John Pilmer.

Read first time and referred to committee on highways, bridges and ferries.

## SECOND READING OF BILLS.

None.

## THIRD READING OF BILLS.

Senate Bill No. 17—By Golden.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Cunningham and Steen.

Excused from voting Senator Browne.

Title read and approved and the bill transmitted to the House.

Senate Bill No. 23—By Bierbower.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower.

Absent—Senators Cunningham and Steen.

Title read and approved and bill transmitted to the House.

Senate Bill No. 27—By Myer.

Read for a third time.

And the President stated the question: "Shall the bill pass?"

Roll called and the bill passed with the following:

Voting aye—Senators Boyce, Browne, Day, Dewey, Golden, Heitfeld, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Voting no—Senators Hanrahan and Miller.

Absent—Senator Steen.

Title read and approved and bill transmitted to the House.

On motion of Senator Bierbower the Senate resolved itself into the committee of the whole, with Senator Rounds in the chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 1st, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 26 and recommend do pass. Senate Bill No. 4, recommended the bill be ordered printed. ROUNDS, Chairman.

House Bill No. 26 filed for third reading.

Senate Bill No. 4 referred to printing committee.

Senate took a recess until 11:55 a. m. on motion of Senator Bierbower.

#### RECONVENED.

Senate reconvened at 11:55 a. m.

Committee on engrossed and enrolled bills made the following report, which was ordered spread upon the journal:

BOISE CITY, February 1st, 1895.

Mr. President: Your committee on engrossed and enrolled bills had under consideration Senate Bill No. 6, by Rounds, and beg leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency, the Governor, at 11 o'clock a. m., February 1st, 1895.

ROUNDS, Chairman.

The Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Steen.

Clerk of the House called the roll of the House.

All present except Mr. Hunt.

Mr. Daly announced that he had paired with Mr. Hunt.

Quorum present.

That portion of yesterday's journal relating to the joint assembly was read and approved.

Joint assembly roll was called with the following result:

Total number of votes cast, 51.

Necessary to a choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rounds, Rowton, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hicks, Heitfeld, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Wolters, Waring, Young, James D.—14

On motion of Mr. Neill, seconded by Mr. Crane, the joint assembly proceeded to ballot for United States Senator.

Messrs. Daly and Hunt paired.

The joint assembly roll called with the following result:

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 14 votes

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Wolters, Waring, Young, James D.—14.

On motion of Mr. Neill, seconded by Mr. Browne, the joint assembly was dissolved.

#### RECONVENED.

Senate reconvened in the Senate chamber.

#### MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 1st, 1895.

Mr. President: I am instructed to inform your honorable body that the Speaker of the House of Representatives has appointed as members of the House upon joint committee to draft revenue bill, Messrs. Crane, Brown and Wolters. Respectfully, JAMES H. GWINN, Chief Clerk.

Message filed.

OFFICE OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, January 31st, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Joint Memorial No. 4, by Rounds; also Senate Joint Memorial No. 3, by Day; also, Senate Bill No. 9, by Bierbower, which are herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Joint Memorial No. 4 referred to committee on engrossed and enrolled bills.

Senate Joint Memorial No. 3 referred to committee on engrossed and enrolled bills.

Senate Bill No. 9 referred to committee on engrossed and enrolled bills.

On motion of Senator Bierbower the Senate adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 o'clock p. m.

With President Mills presiding.

ROLL CALL.

All present except Senators Boyce, Browne, Cunningham, Parkinson, Robertson and Steen.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

SATURDAY—TWENTY-THIRD DAY.

SENATE CHAMBER, February 2d, 1895.

Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

ROLL CALL.

All present except Day and Steen, excused.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

The President announced that he was about to sign Senate Joint Memorials No. 3 and 4.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

The judiciary committee made the following report:

BOISE CITY, February 2d, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration Senate Bill No. 33. A majority recommend that the same do not pass.

BIERBOWER, Chairman.

DEWEY,

PARKINSON.

A minority recommend that the same do pass.

REES.

BOISE CITY, February 2d, 1895.

Mr President: Your committee on judiciary respectfully report that

they have had under consideration Senate Bill No. 30. A majority recommend that the same do not pass.

BIERBOWER, Chairman.

PARKINSON,

DEWEY.

A minority recommend that the same do pass.

REES.

BOISE CITY, February 2d, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration Senate Bill No. 22. A majority recommend that the same do not pass.

PARKINSON,

DEWEY,

REES.

No minority report filed.

BOISE CITY, February 2d, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration House Bills No. 15 and 29 and report favorably. House Bills No. 46 and 27 and recommend the same do pass.

BIERBOWER, Chairman,

Senate Bills No. 33, 30 placed on calendar.

Senate Bill No. 22.

On motion of Senator Bierbower, seconded by Senator Dewey, Senate Bill No. 22 was indefinitely postponed.

House Bills No. 15, 29, 46, 27 placed on calendar.

Committee on State affairs made the following report:

BOISE CITY, February 2d, 1895.

Mr. President: Your committee on State affairs have had under consideration Senate Bill No. 43 and respectfully recommend that the same be printed.

ROUNDS, Chairman.

Senate Bill No. 43 referred to committee on printing.

Committee on corporations made the following report:

BOISE CITY, February 2d, 1895.

Mr. President: Your committee on corporations have had under consideration Senate Bill No. 38 and recommend that the same be printed.

ROBERTSON, Chairman.

Senate Bill No. 38 referred to committee on printing.

#### MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 1st, 1895.

*To the President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 6, entitled "An act to amend certain sections of the election laws."

Very respectfully yours, W. J. McCONNELL, Governor.

#### MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 1st, 1895.

Mr. President: I am instructed to inform your honorable body that the Speaker of the House of Representatives has appointed members on joint irrigation committee in conformity to House Concurrent Resolution No 5, Messrs Clark, Daly and Waring. Respectfully,

JAMES H. GWINN, Chief Clerk.

#### MOTIONS AND RESOLUTIONS.

Senate Resolution—By Boyce.

*Resolved*, That the Senate alone has the power to admit to or exclude reporters from the floor of this chamber.

*Resolved*, That the act of the presiding officer in excluding reporters from the Boise Sentinel from this body was an unwarranted assumption of authority.

*Resolved*, That reporters from the Boise Sentinel be admitted to the bar of the Senate.

The President ruled that the resolution being in conflict with rule 11 of the standing rules of the Senate, was out of order and could not be considered unless rule 11 was abrogated or suspended.

Senator Boyce then moved that rule 11 be abrogated.

The President ruled the motion to abrogate rule 11 out of order because it conflicted with Senate Rule 27.

Senator Boyce then moved that rule 27 be suspended.

The President stated the question: "Shall rule 27 be suspended?"

Roll was called with the following result:

Voting aye—Senators Boyce, Hanrahan, Heitfeld, Miller, Rees—5.

Voting no—Senators Browne, Cunningham, Day, Dewey, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Watt, President *pro tem*. Bierbower—12.

Absent—Senator Steen.

Motion lost.

#### INTRODUCTION OF BILLS.

Senate Bill No. 46—By Hanrahan. An act to amend section 1 of an act to create and organize the county of Custer.

Read first time and referred to committee on counties and county boundaries.

Senate Bill No. 47—By Browne. An act to afford relief to purchasers of State land and extend the time of making payments of interest.

Read first time and referred to committee on public lands.

Senate Bill No. 48—By Browne. An act to establish in the city of New York a fiscal agency of the State of Idaho.

Read first time and referred to committee on finance.

Senate Bill No. 49—By Robertson. An act to establish an agricultural college.

Senator Robertson moved that the rules be suspended, the bill read first time by title and referred to the appropriate committee.

Motion seconded by Senator Smith.

The President stated the question: "Shall the rules be suspended?"

Roll called with the following result:

Voting aye—Senators Hanrahan, Miller, Myer, Robertson, Rounds, Smith—6.

Voting no—Senators Boyce, Browne, Dewey, Golden, Heitfeld, Parkinson, Watt—7.

Absent—Senators Rees, Steen, President *pro tem*. Bierbower.

Motion lost.

Senate Bill No. 49 read first time and referred to committee on education.

On motion of Senator Browne, seconded by Senator Watt, the Senate took a recess until 11:55 o'clock a. m.

## RECONVENED.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 2d, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Memorial No. 3, by Day, and Senate Joint Memorial No. 4, by Rounds, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency, the Governor, at 11 o'clock a. m., February 2d, 1895.

ROUNDS, Chairman.

The President announced that he was about to sign Senate Bill No. 9.

The Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

## JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Steen.

Clerk of the House called the roll of the House.

All present except Messrs. Hunt, Thomas and Young, N. H.

Quorum present.

That portion of the journal of yesterday which related to the election of a United States Senator was read and approved.

Joint assembly roll call with the following result:

Total number of votes cast, 48.

Necessary to choice, 25.

Mr. Sweet received 16 votes.

Mr. Shoup received 18 votes.

Mr. Clagett received 14 votes.

No choice.

Messrs. Glenn and N. H. Young were paired.

Messrs. Thomas and Wyman were paired.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker—16.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Golden, Gamble, Johnson, McMillan, Vance, Watt—18.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Wolters, Waring, Young, James D.—14.

On motion of Mr. Johnson the joint assembly was dissolved.

## RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Bierbower adjourned until Monday morning at 10 o'clock.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## MONDAY—TWENTY-FOURTH DAY.

SENATE CHAMBER, February 4th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

## ROLL CALL.

All present except Senator Steen, excused.

Quorum present.

Prayer by chaplain.

Journal of Saturday read and approved.

The President announced that he was about to sign House Joint Resolution No. 1.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

None.

## REPORTS OF SPECIAL COMMITTEES.

None.

## MESSAGES FROM THE GOVERNOR.

None.

## MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 2d, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and adopted House Concurrent Resolution No. 8, concerning the passage of the Pooling Bill by Congress, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

## MOTIONS AND RESOLUTIONS.

Senator Boyce called up the resolution relating to the admission of reporters to the bar of the Senate and moved its adoption.

The President ruled the motion out of order.

Senator Boyce appealed from the ruling of the President.

The President stated the question: "Shall the chair be sustained?"

Chair sustained.

## NOTICE OF MOTION BY SENATOR BOYCE.

I hereby give notice that, on February 5th, I shall move that rule 11 (of the standing rules of the Senate) be abrogated.

## FIRST READING OF BILLS.

House Concurrent Resolution No. 8—By Johnson. A resolution concerning the passage of the Pooling Bill by Congress.

Read first time and referred to committee on corporations.

## SECOND READING OF BILLS.

None.

## THIRD READING OF BILLS.

House Bill No. 26—By Hughes.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Steen and Parkinson.

Title read and approved and bill transmitted to the House.

On motion of Robertson, seconded by Smith, the Senate took a recess until 11:55 a. m.

RECONVENED.

The Senate reconvened at 11:55 a. m.

The hour of 12 o'clock noon having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

The secretary of the Senate called the roll of the Senate.

All present except Mr. Steen.

Clerk of the House called the roll of the House.

All present except Mr. Hunt.

Quorum present.

That portion of the journal of Saturday relating to the joint assembly was read and approved.

Mr. Brown, C. M., announced that he was paired with Mr. Hunt.

Joint assembly roll called with the following result:

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Claggett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Thomas, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Wolters, Waring, Young, James D.—14.

Mr. Dewey moved that the joint assembly proceed to ballot for a United States Senator.

Motion seconded by Mr. Browne, R. S.

Mr. Wyman moved that the joint assembly be dissolved.

Motion seconded by Mr. Neill.

Motion to dissolve prevailed.

RECONVENED.

The Senate reconvened in the Senate chamber, and on motion of Senator Bierbower, seconded by Senator Cunningham, adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All Senators present except Senator Steen.

Quorum present.

On motion of Senator Dewey, seconded by Senator Browne, the Senate resolved itself into a committee of the whole with Senator Browne in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 4th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 37, and recommend that it be recommitted to the committee on irrigation and water rights. Senate Bill No. 36, report favorably and recommend that it do pass. Senate Bill No. 7, recommend that it retain its place on the calendar. Senate Bill No. 11, recommend that it be indefinitely postponed. Senate Bill No. 21, report favorably and recommend that the same do pass. Senate Joint Resolution No. 7, recommend that it retain its place on the calendar. Senate Bill No. 30, recommend that it retain its place on the calendar. Senate Bill No. 33, and recommend that it do pass as amended. BROWNE, Chairman.

Pending the adoption of this report, on motion of Senator Cunningham, seconded by Senator Bierbower, the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

TUESDAY—TWENTY-FIFTH DAY.

SENATE CHAMBER, February 5th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

ROLL CALL.

All present except Senators Dewey and Robertson, and Steen, excused.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

The President stated that the first thing in order was the adoption of the report of the committee of the whole.

Report read and on motion of Senator Browne, seconded by Senator Robertson, was adopted.

Senate Bill No. 37 recommitted to committee on irrigation and water rights.

Senate Bill No. 36 ordered filed for third reading.

Senate Bill No. 7 ordered that it retain its place.

Senate Bill No. 11 ordered to be indefinitely postponed.

Senate Bill No. 21 ordered filed for a second reading.

Senate Joint Resolution No. 7, ordered that it retain its place.

Senate Bill No. 30, ordered that it retain its place.

Senate Bill No. 33 filed for second reading.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

The committee on printing made the following report:

BOISE CITY, February 4th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 4, 43, 25, 38, and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 4 placed on calendar.

Senate Bill No. 38 returned to committee on corporations.

Senate Bill No. 25 rereferred to committee on highways, bridges and ferries.

Senate Bill No. 43 referred to committee on State affairs.

The committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 5th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 9, by Bierbower, and beg leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency the Governor at 11 o'clock a. m., February 4th, 1895.

R. ROUNDS, Chairman.

Ordered that the report be spread upon the journal.

The committee on counties and county boundaries made the following report:

BOISE CITY, February 4th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No. 46 and recommend that the same be printed.

PARKINSON, Chairman.

Senate Bill No. 46 ordered to be printed.

#### MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 4th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have signed today the following: Senate Joint Memorial No. 3, by Day; Senate Joint Memorial No. 4, by Rounds; Senate Bill No. 9, by Bierbower, that being "An act authorizing divorce to be granted in cases of insanity and regulating the duties of District Attorney."

Very respectfully yours,

W. J. McCONNELL, Governor.

#### MESSAGES FROM THE HOUSE.

None.

#### MOTIONS AND RESOLUTIONS.

Senator Boyce called up his motion of yesterday relating to the abrogation of rule 11.

The President stated the question: "Shall rule 11 be abrogated?"

Roll called and motion lost by the following vote:

Voting aye—Senators Boyce, Hanrahan, Heitfeld, Rees—4.

Voting no—Senators Browne, Cunningham, Day, Golden, Myer, Parkinson, Robertson, Rounds, Smith, President *pro tem.* Bierbower—10.

Absent—Senators Dewey, Miller and Steen.

Excused from voting—Senator Watt.

Senator Boyce moved "That the reporter from the Boise Sentinel be admitted to the bar of the Senate."

Senator Rees seconded the motion.

The President stated the question: "Shall the reporter from the Boise Sentinel be admitted to the bar of the Senate?"

Roll called and motion lost by the following vote:

Voting aye—Senators Boyce, Hanrahan, Heitfeld, Rees, Robertson, Smith—6.

Voting no—Senators Browne, Cunningham, Day, Golden, Myer, Parkinson, Rounds, President *pro tem.* Bierbower—8.

Absent—Senators Dewey, Miller, Steen.

Excused from voting—Senator Watt.

The President announced that he was about to sign Senate Joint Resolution No. 5.

Also, House Bill No. 26, by Hughes.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 50—By Parkinson. An act to provide for the care, management and maintenance of the State library.

Introduced, read for a first time and referred to committee on State affairs.

Senate Bill No. 51—By Dewey. An act to provide for the distribution of moneys collected from liquor and gambling licenses and prescribing the funds in which the same shall be paid.

Introduced, read for a first time and referred to the judiciary committee.

Senate Joint Resolution No. 9—By Browne.

*Resolved by the Senate, the House concurring,* That a special committee of the two bodies, appointed for the purpose of drafting a revenue bill to present to the legislature, be empowered to employ a competent clerk at a salary not to exceed five dollars per day until said committee is discharged.

Senator Browne moved that section 15, article 3, of the Constitution and the rules of the Senate be suspended and Senate Joint Resolution No. 9 read a second time by title, a third time at length and placed on its final passage.

Senator Myer seconded the motion.

The President stated: "Shall the rules be suspended?"

Roll called and the motion lost by the following vote:

Voting aye—Senators Browne, Hanrahan, Myer, Watt, President *pro tem.* Bierbower—5.

Voting no—Senators Boyce, Cunningham, Day, Golden, Heitfeld, Parkinson, Rees, Robertson, Rounds—9.

Absent—Senators Dewey, Miller, Smith and Steen.

Senate Joint Resolution No. 9 referred to committee on finance.

#### SECOND READING OF BILLS.

Senate Bill No. 21—By Parkinson.

Read a second time, ordered engrossed and filed for third reading.

Senate Bill No. 36—By Cunningham.

Read a second time, ordered engrossed and filed for third reading.

Senate Bill No. 33—By Boyce.

The following amendments were adopted to the bill:

Strike out the word "two" after the word "within" and insert the word "one." Also, in section 4493, by striking out the words "two years" where they appear and substitute therefor the words "one year."

Amendments ordered printed and when printed ordered engrossed and placed on file for third reading.

THIRD READING OF BILLS.

On motion of Senator Bierbower, seconded by Senator Cunningham, the Senate took a recess until 11:50 o'clock a. m.

RECONVENED.

Senate reconvened at 11:50 o'clock a. m.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Mr. Steen.

Clerk of the House called the roll of the House.

All present except Mr. Hunt.

Quorum present.

That portion of the journal of yesterday which related to the joint assembly was read and approved.

Mr. Brown, C. M., announced that he had paired with Mr. Hunt.

Joint assembly roll called with the following result:

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Wolters, Waring, Young, James D.—14.

Mr. Johnson moved that the joint assembly proceed to ballot for a United States Senator.

Motion seconded by Mr. Neill.

Mr. Crane moved that the joint assembly do now adjourn.

Motion to adjourn prevailed.

RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Browne, seconded by Senator Watt, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Cunningham, Hanrahan, Robertson, Steen.

At request of Senator Browne, and there being no objection, the Senate returned to the consideration of the fourth order of business.

REPORTS OF STANDING COMMITTEES.

BOISE CITY, February 5th, 1895.

Mr. President: Your committee on finance respectfully report that they have had under consideration Senate Joint Resolution No. 9, and recommend that the same do pass. BROWNE, Chairman.

Senate Joint Resolution No. 9—By Browne.

On motion of Senator Browne, seconded by Senator Myer, section 15, article 3, of the Constitution and the rules of the Senate were suspended and Senate Joint Resolution No. 9 read a second time by title, a third time at length and placed upon its final passage.

The vote upon the suspension of the rules is as follows:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Voting no—Senator Boyce.

Absent—Senators Hanrahan, Robertson, Steen.

The President stated the question: "Shall the resolution pass?"

Roll called and resolution passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Voting no—Senator Boyce.

Absent—Senators Hanrahan, Robertson, Steen.

Resolution ordered transmitted to the House.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 5th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 21, by Robertson, and Senate Bill No. 36, by Cunningham, and beg leave to report the same correctly engrossed. ROUNDS, Chairman.

Senate Bill No. 21—By Robertson.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Hanrahan, Parkinson, Robertson and Steen.

Title read and approved and bill transmitted to the House.

Senate Bill No. 36—By Cunningham.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Hanrahan, Parkinson, Robertson, Steen—4.

Title read and approved and the bill transmitted to the House.

On motion of Senator Bierbower, seconded by Senator Day, the Senate resolved itself into a committee of the whole.

Senator Boyce in the chair.

Pending the report of the committee of the whole the committee arose to receive a message from the House.

Also message from the Governor.

Message filed and the committee resumed its sitting.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 5th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 7, by Browne, and recommend that it retain its place on the calendar. Senate Joint Resolution No. 7, by Browne, report favorably and recommend that it do pass. Senate Bill No. 30, by Rees, and recommend that it be indefinitely postponed. House Bill No. 15, by Wyman, report favorably and recommend that it do pass. House Bill No. 27, by Wyman, and recommend that it be indefinitely postponed. House Bill No. 29, by Wyman, and recommend that it be indefinitely postponed. House Bill No. 46, and recommend that it do pass. BOYCE, Chairman.

On motion of Senator Boyce the report of the committee was adopted.

Senate Bill No. 7, ordered that it retain its place on calendar.

Senate Joint Resolution No. 7 ordered filed for third reading.

Senate Bill No. 30 ordered indefinitely postponed.

House Bill No. 15 read second time and filed for third reading.

House Bill No. 27 ordered indefinitely postponed.

House Bill No. 29 ordered indefinitely postponed.

House Bill No. 46 read second time and filed for third reading.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 5th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 63, by Wyman, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 63, by Wyman, filed for first reading.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 73, by Neill, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 73, by Neill, filed for first reading.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 5th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and concurred in Senate Joint Resolution No. 9, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Joint Resolution No. 9, by Browne, ordered enrolled.

On motion of Senator Watt, seconded by Senator Browne, the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

WEDNESDAY—TWENTY-SIXTH DAY.

• SENATE CHAMBER, February 6th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

ROLL CALL.

All present.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

The President announced that he was about to sign Senate Joint Resolution No. 9.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 6th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Resolution No. 7, by Browne, and beg leave to report the same has been correctly engrossed.

ROUNDS, Chairman.

Senate Joint Resolution No. 7 filed for third reading.

Committee on printing made the following report:

BOISE CITY, February 6th, 1895.

Mr. President: Your committee on printing has had under consideration Senate Bill No. 46 and respectfully report the same correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 46 returned to committee on counties and county boundaries.

BOISE CITY, February 6th, 1895.

Mr. President: Your committee on corporations respectfully report that they have had under consideration House Concurrent Resolution No. 8, and recommend that the same do pass. Senate Bill No. 40, and recommend that the same be printed and that it do pass.

ROBERTSON, Chairman.

House Concurrent Resolution No. 8 placed on calendar.

Senate Bill No. 40 referred to printing committee.

BOISE CITY, February 6th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration House Bill No. 16, and recommend that it do pass.

PARKINSON, Chairman.

House Bill No. 16 placed on calendar.

BOISE CITY, February 6th, 1895.

Mr. President: Your committee on public lands has had under consideration Senate Bill No. 47, by Browne, and begs leave to recommend it be amended by inserting after the word "persons," in the fifth line

from the bottom on page two, the words "not purchasers of State lands and;" and further recommends that the bill be printed as amended and that it do pass.

DAY, Chairman.

Senate Bill No. 47 referred to committee on printing, and, when printed, ordered placed on calendar

#### MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 5th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: As the State Land Department, owing to the settlement of most of the immediately available lands in our valleys prior to our admission as a State, has been obliged to locate a large portion of the lands donated to us by the general government, in the mountains, where its value consists almost entirely of the timber growing thereon, it becomes the duty of the State legislature to provide for its better security and protection.

I recommend that the legislation enacted by other states on this subject be examined and a bill prepared and passed before your adjournment, as under the authority given the State officers, we are utterly powerless to give this valuable resources of the State such protection as its importance deserves.

Very respectfully yours,

W. J. McCONNELL, Governor.

#### MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 5th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 61, by Wyman; also House Bill No. 14, by Wyman; also House Bill No. 103, by Randolph, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 61 filed for first reading.

House Bill No. 14 filed for first reading.

House Bill No. 103 filed for first reading.

Governor's message referred to committee on public lands.

#### MOTIONS AND RESOLUTIONS.

The Senate by unanimous consent agreed to take under consideration the vote by which House Bill No. 27 was indefinitely postponed on yesterday.

By unanimous consent of the Senate and on motion of Senator Bierbower, seconded by Senator Browne, the vote by which House Bill No. 27 was indefinitely postponed was reconsidered, and the secretary of the Senate was directed to request the return of House Bill No. 27 to the Senate.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 52—By Miller. An act to secure to the people the privilege of rest and for the better observance of Sunday, or the Lord's day.

Read first time and referred to committee on State affairs.

Senate Bill No. 53—By Robertson. An act relating to certain contracts for the conditional sale, lease or hire of railroads and street railways, equipments and rolling stock, etc.

Read for a first time and referred to committee on corporations.

House Bill No. 63—By Wyman. An act to amend section 3964 of

of the Revised Statutes of the State of Idaho and to provide for the selecting of jurors in justice's and probate courts.

Read for a first time and referred to judiciary committee.

House Bill No. 73—By Neill. An act to amend section 6765 of the Revised Statutes so as to raise the age of consent.

Read for a first time and referred to committee on State affairs.

House Bill No. 14—By Cowden. An act to amend section 1264 of the Revised Statutes of the State of Idaho.

Read for a first time and referred to judiciary committee.

House Bill No. 61—By Wyman. An act to provide a form for undertakings in civil and criminal actions.

Read for a first time and referred to judiciary committee.

House Bill No. 103—By Randolph. An act to regulate tax sales and to extend the time of payment, etc.

Read for a first time, and on motion of Senator Browne, seconded by Senator Miller, section 15, article 3, of the Constitution and the rules of the Senate were suspended, and House Bill No. 103 read a second time by title, a third time at length and placed upon its final passage.

All the Senators voting for the suspension of the rules except Senators Cunningham and Day.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem*. Bierbower—17.

Excused from voting—Senator Cunningham.

Title read and approved and the bill transmitted to the house.

On motion of Senator Dewey, seconded by Senator Myer, the Senate took a recess subject to the call of the chair.

#### RECONVENED.

Senate reconvened at 11:55 o'clock a. m.

Committee on engrossed and enrolled bills made the following report, which was ordered spread upon the journal:

BOISE CITY, February 6th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Resolutions No. 9, by Browne, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency, the Governor, at 11:15 o'clock a. m., February 6th, 1895.

ROUNDS, Chairman.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

The secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. Hunt.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Brown, C. M., announced that he had paired with Mr. Hunt.

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Rounds the joint assembly was dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber, and on motion of Senator Browne, seconded by Senator Watt, the Senate adjourned until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 o'clock p. m.

President Mills presiding.

Roll called.

All present except Senator Parkinson.

Quorum present.

#### THIRD READING OF BILLS.

Senate Joint Resolution No. 7.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the resolution pass?"

Roll called and the resolution passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Parkinson.

Title read and approved and bill transmitted to the House.

House Bill No. 46—By Wyman.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—16.

Absent—Senator Parkinson.

Excused from voting—Senator Steen.

Title read and approved and bill transmitted to the House.

House Bills No. 15—By Wyman.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Parkinson.

Title read and approved and bill transmitted to the House.

By unanimous consent of the Senate the committee on finance made the following report:

BOISE CITY, IDAHO, February 6, 1895.

Mr. President: Your committee on finance respectfully reports that it has had under consideration Senate Bill No. 42, and recommend that the same be printed and that it do pass; also Senate Bill No. 48, and recommend that it be indefinitely postponed. BROWNE, Chairman.

Senate Bill No. 42 referred to printing committee.

Senate Bill No. 48.

On motion of Senator Browne, seconded by Senator Myer, Senate Bill No. 48 was indefinitely postponed.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 6th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 33, by Boyce, and begs leave to report the same correctly engrossed. ROUNDS, Chairman.

Senate Bill No. 33—By Boyce.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Parkinson.

Title read and approved and bill transmitted to the House.

On motion of Senator Browne, seconded by Senator Dewey, the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### THURSDAY—TWENTY-SEVENTH DAY.

SENATE CHAMBER,

BOISE CITY, February 7th, 1895.

Senate met pursuant to adjournment.

President *pro tem.* Bierbower presiding.

ROLL CALL.

All present except Senator Robertson.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

Committee on State affairs made the following report:

BOISE CITY, February 7th, 1895.

Mr. President: Your committee on State affairs respectfully report that they have had under consideration House Bill No. 73, by Neill, and recommend that the same do pass. ROUNDS, Chairman.

House Bill No. 73 placed on calendar.

Committee on judiciary made the following report:

BOISE CITY, February 7th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration Senate Bill No. 51, by Dewey, and recommend that the same be printed. BIERBOWER, Chairman.

Senate Bill No. 51 referred to printing committee.

MESSAGES FROM THE GOVERNOR.

None.

MESSAGES FROM THE HOUSE.

None.

MOTIONS AND RESOLUTIONS.

None.

INTRODUCTION OF BILLS.

Senate Bill No. 54—By Golden. An act to amend section 5713 of the Revised Statutes.

Read for a first time and referred to the judiciary committee.

Senate Bill No. 55—By Boyce. An act regulating the payment of wages in the State of Idaho.

Read for a first time and referred to committee on State affairs.

Senate Bill No. 56—By Boyce. An act to prevent blacklisting in the State of Idaho.

Read for a first time and referred to the committee on corporations.

On motion of Senator Browne, seconded by Senator Boyce, the Senate resolved itself into a committee of the whole with Senator Watt in chair.

REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 7th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 23, by Neill, and recommend that it do pass. W. H. WATT, Chairman.

On motion of Senator Watt, seconded by Senator Boyce, the report of the committee was adopted.

House Bill No. 23 filed for second reading.

On motion of Senator Cunningham, seconded by Senator Watt, the Senate took a recess subject to the call of the chair.

RECONVENED.

Senate called to order by President Mills, and the hour of 12 o'clock noon having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

## JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. Hunt.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Brown, C. M., announced that he had paired with Mr. Hunt.

Total number of votes cast, 52.

Necessary to choice, 27 votes.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Senator Dewey moved that the joint assembly proceed to ballot for a United States Senator.

Motion seconded by Mr. Browne, R. S.

Mr. Crane moved that the joint assembly be dissolved.

Motion to dissolve prevailed.

## RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Dewey took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senator Robertson.

The President announced that he was about to sign House Bill No. 46, by Wyman, and House Bill No. 15, by Wyman.

## CONSIDERATION OF THE GENERAL CALENDAR.

On motion of Senator Browne, seconded by Senator Boyce, the Senate resolved itself into a committee of the whole.

Senator Watt in the chair.

## REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 7th, 1895.

Mr. President: Your committee of the whole respectfully report

that they have had under consideration Senate Bill No. 7, by Browne, and recommend that it retain its place on the calendar. Senate Bill No. 4, by Browne, and recommend that it be recommitted to the committee on finance. House Concurrent Resolution No. 8, by Johnson, recommend that it do pass. House Bill No. 16, by McMillan, and recommend that it do pass. W. H. WATT, Chairman.

On motion of Senator Watt, seconded by Senator Robertson, the report of the committee of the whole was adopted.

Senate Bill No. 7 ordered to retain its place on the calendar.

Senate Bill No. 4 ordered recommitted to the finance committee.

House Concurrent Resolution No. 8 read a second time and filed for third reading.

House Bill No. 16 read a second time and filed for third reading.

#### MESSAGES FROM THE HOUSE.

OFFICE OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

BOISE CITY, IDAHO, February 7th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 12, by Myer; Senate Bill No. 36, by Cunningham, and Senate Joint Resolution No. 8, by Browne, which are herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bill No. 12, Senate Bill No. 36 and Senate Joint Resolution No. 8 referred to committee on engrossed and enrolled bills.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 7th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 54, by Smith; House Bill No. 94, by McMillan; House Bill No. 27, by Wyman, returned to Senate by request of Senate; also House Joint Resolution No. 4, by Clark; also House Joint Memorial No. 4, by McCarthy, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bills No. 54 and 94 filed for first reading.

House Joint Resolution No. 4 filed for first reading.

House Joint Memorial No. 4 filed for first reading.

There being no objection, House Bill No. 27, by Wyman, was re-committed to the committee on judiciary.

On motion of Senator Browne the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### FRIDAY—TWENTY-EIGHTH DAY.

SENATE CHAMBER,

BOISE CITY, February 8th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

#### ROLL CALL.

All present except Senators Watt and Parkinson.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

Committee on printing made the following report:

BOISE CITY, IDAHO, February 8th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 51, 47, 40, 42 and report the same correctly printed. G. D. GOLDEN, Chairman.

Senate Bill No. 51 referred to the judiciary committee.

Senate Bill No. 47 referred to the committee on public lands.

Senate Bill No. 40 placed on calendar.

Senate Bill No. 42 placed on calendar.

Committee on public lands made the following report:

BOISE CITY, February 8th, 1895.

Mr. President: Your committee on public lands respectfully reports that it has had under consideration the memorial which was submitted by the Governor January 28th, 1895, and recommends that the same be laid upon the table for the reason that the objects sought to be obtained by the memorial are in direct conflict with the spirit of section 8 of article IX of the State Constitution. DAY, Chairman.

On motion of Senator Cunningham, seconded by Senator Day, the memorial was ordered laid upon the table.

## MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 6th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Joint Resolution No. 9, by Browne. Very respectfully yours,

W. J. McCONNELL, Governor.

## MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 8th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration Senate Bill No. 12, by Myer, and the bill having been transmitted to the Senate by mistake it is hereby requested that said Senate Bill No. 12 be returned to the House for further consideration. Respectfully,

JAMES H. GWINN, Chief Clerk.

The Senate requested the committee on engrossed and enrolled bills to return Senate Bill No. 12 to that body.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 8th, 1895.

Mr. President: Your committee on enrollment respectfully report that they have had under consideration Senate Bill No. 12, by Myer, and begs leave to report the same returned to the Senate as requested by said body. ROUNDS, Chairman.

Senate Bill No. 12 ordered transmitted to the House.

The President announced that he was about to sign Senate Bill No. 36; also, Senate Joint Resolution No. 8, by Browne.

## FIRST READING OF BILLS.

Senate Bill No. 57—By Rounds. An act to regulate marriages.

Read for a first time and referred to committee on State affairs.

House Joint Resolution No. 4—By Clark. In regard to the employment of a clerk for irrigation committees of Senate and House of Representatives.

Read for a first time and referred to joint committee on irrigation.

House Bill No. 54—By Smith. An act to amend section 12 of an act entitled "An act to establish a State Normal School at Albion, in the county of Cassia, Idaho, and to create a board of trustees for the management thereof."

Read for a first time and referred to committee on education.

House Bill No. 94—By McMillan. An act entitled "An act to amend section 7048 of the Revised Statutes of the State of Idaho."

Read for a first time and referred to committee on agriculture.

House Joint Memorial No. 4—By McCarthy. Memorial protesting against the issuing of \$500,000,000 in United States bonds.

Read for a first time and referred to committee on finance.

## SECOND READING OF BILLS.

House Bill No. 23—By Neill.

Came up for second reading and on motion of Senator Cunningham, seconded by Senator Day, was recommitted to committee on judiciary.

## THIRD READING OF BILLS.

House Bill No. 16—By McMillan.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Boyce and Smith.

Excused from voting—Senator Steen.

Title read and approved and bill transmitted to the House.

House Concurrent Resolution No. 8—By Johnson.

Read for third time and placed upon its final passage.

The President stated the question: "Shall the resolution pass?"

Roll called and resolution concurred in by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Steen, Watt—16.

Absent—Senators Bierbower and Smith.

Resolution transmitted to the House.

On motion of Senator Cunningham the Senate took a recess subject to the call of the President.

## RECONVENED.

Senate called to order by President Mills.

Committee on engrossed and enrolled bills made the following report, which was ordered spread upon the journal:

BOISE CITY, February 8th, 1895.

Mr. President: Your committee on engrossed and enrolled bills

has had under consideration Senate Bill No. 36, by Cunningham, and Senate Joint Resolution No. 8, by Browne, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency, the Governor, at 11:15 o'clock a. m., February 8th, 1895.      ROUNDS, Chairman.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. Hunt.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Brown, C. M., announced that he was paired with Mr. Hunt.

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Johnson the joint assembly was dissolved.

Senate reconvened in the Senate chamber.

Senator Bierbower announced that the judiciary committee had employed Mr. S. P. Worthington as a clerk, under the provisions of House Joint Resolution No. 1, with pay to commence this 7th day of February, 1895.

There being no objections the President assigned Mr. Worthington to duty on the irrigation committee.

Senator Browne announced that the joint committee on revenue bill had appointed Silas W. Moody as clerk of said committee, under the provisions of Senate Joint Resolution No. 9, with pay to commence on February 6th, 1895.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## SATURDAY—TWENTY-NINTH DAY.

SENATE CHAMBER,  
BOISE CITY, February 9th, 1895.

Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

Roll call.

All present except Senator Smith.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 8, by Browne, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bill No. 8 referred to committee on enrollment.

## REPORTS OF STANDING COMMITTEES.

Committee on counties and county boundaries report as follows:

BOISE CITY, February 9th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully reports that it has had under consideration Senate Bill No. 46, by Hanrahan, and recommend that the same do pass.

PARKINSON, Chairman.

Senate Bill No. 46 placed on calendar.

## CORPORATIONS.

BOISE CITY, IDAHO, February 9th, 1895.

Mr. President: Your committee on corporations respectfully reports that it has had under consideration Senate Bill No. 38 and recommend that the same do pass.

ROBERTSON, Chairman.

Senate Bill No. 38 ordered placed on calendar.

Committee on education made the following report:

BOISE CITY, IDAHO, February 9th, 1895.

Mr. President: Your committee on education respectfully reports that it has had under consideration Senate Bill No. 44 and recommend that the same be printed, and when printed, returned to the Senate and referred to the committee of the whole.

DAY, Chairman.

Senate Bill No. 44 referred to the committee on printing.

Committee on State affairs made the following report:

BOISE CITY, IDAHO, February 9th, 1895.

Mr. President: Your committee on State affairs respectfully reports that it has had under consideration Senate Bills No. 29 and 52, and recommend that the same be printed.

ROUNDS, Chairman.

Senate Bills No. 29 and 52 referred to the printing committee.

Committee on judiciary made the following reports:

BOISE CITY, February 9th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration House Bill No. 14. A minority recommend that the same pass.

REES,

STEEN, Minority.

A majority recommend that the same do not pass.

BIERBOWER,  
DEWEY,  
PARKINSON, Majority.

House Bill No. 14 placed on calendar.

BOISE CITY, February 9th, 1895.

Mr President: Your committee on judiciary respectfully report that they have had under consideration House Bill No. 61. A majority recommend that the same pass.

BIERBOWER,  
PARKINSON,  
STEEN,  
REES, Majority.

A minority recommend that the same do not pass.

DEWEY, Minority.

House Bill No. 61 placed on calendar.

BOISE CITY, February 9th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration House Bill No. 63. A majority recommend that the same pass.

BIERBOWER,  
PARKINSON.  
DEWEY;  
STEEN, Majority.

A minority report that the same do not pass.

REES, Minority.

House Bill No. 63 placed on calendar.

BOISE CITY, February 9th, 1895.

Mr. President: Your committee on judiciary respectfully report that they had under consideration Senate Bill No. 51 and recommend that the same do pass.

BIERBOWER, Chairman.

Senate Bill No. 51 placed on calendar.

BOISE CITY, February 9th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration House Bill No. 27. A majority recommend that the same do not pass.

DEWEY,  
STEEN,  
REES, Majority.

A minority recommend that the same pass.

BIERBOWER,  
PARKINSON, Minority

House Bill No. 27 placed on calendar.

MESSAGES FROM THE GOVERNOR.

— EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 8th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Joint Resolution No. 8, by Browne, and Senate Bill No. 36, by Cunningham.

Very respectfully yours,

W. J. McCONNELL, Governor.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 8th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed

House Bill No. 3, by Henry; also House Concurrent Resolution No. 9, which are herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 3, by Henry, filed for first reading.

House Concurrent Resolution No. 9, by Neill, filed for first reading.

MOTIONS AND RESOLUTIONS.

None.

INTRODUCTION AND FIRST READING OF BILLS.

None.

SECOND READING OF BILLS.

None.

THIRD READING OF BILLS.

None.

On motion of Senator Cunningham the Senate resolved itself into a committee of the whole with Senator Myer in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 9th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 7, by Browne, and recommend substitute and that substitute be ordered printed; House Bill No. 73, by Neill, and recommend that it do pass as amended; Senate Bill No. 40, by Robertson, and recommend that it retain its place on the calendar; Senate Bill No. 42, and recommend that it do pass.

MYER, Chairman.

On motion of Senator Myer the report of the committee of the whole was adopted.

Substitute for Senate Bill No. 7 ordered printed.

House Bill No. 73, amendments ordered printed, and when printed, bill ordered filed for second reading.

Senate Bill No. 40, ordered that it retain its place on the calendar.

Senate Bill No. 42 ordered to be filed for second reading.

On motion of Senator Watt the Senate took a recess until 11:55 o'clock a. m.

SENATE RECONVENED.

The President announced that he was about to sign Senate Bill No. 8, by Browne; House Concurrent Resolution No. 8, by Johnson, and House Bill No. 16, by McMillan.

The hour of 12 o'clock noon having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Messrs. Young, N. H., Clark and Hunt.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

The following pairs were announced:

Messrs. Brown, C. M., and Hunt.

Messrs. Gamble and Clark.

Messrs. Glenn and Young, N. H.

Joint assembly roll called with the following result:

Total number of votes cast, 48.

Necessary to choice, 25.

Mr. Sweet received 16 votes.

Mr. Shoup received 17 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Crane, Day, Henry, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker—16.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Golden, Johnson, McMillan, Vance, Wyman, Watt—17.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Thomas the joint assembly was dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber.

On motion of Senator Watt, seconded by Senator Myer, Mr. Murray of the Bell Telephone Company was tendered a vote of thanks for his offer to the Senate, of the free use of a telephone.

Senator Parkinson excused until ——— by unanimous consent of the Senate.

On motion of Senator Day, seconded by Senator Bierbower, the Senate adjourned until 10 o'clock Monday morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### MONDAY—THIRTIETH DAY.

SENATE CHAMBER,

BOISE CITY, February 11th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

#### ROLL CALL.

All present except Senator Parkinson, excused.

Quorum present.

Prayer by the chaplain.

#### PETITIONS AND MEMORIALS.

None.

#### REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 11th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 8, by Browne, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency the Governor at 12:15 o'clock p. m., February 9th, 1895.

ROUNDS, Chairman.

## MOTIONS AND RESOLUTIONS.

None.

## INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 58—By Steen. An act to prevent the unlawful wearing of the Grand Army badge.

Read for a first time and referred to the committee on military and Indian affairs.

Senate Bill No. 59—By Steen. An act making it unlawful for any judge or county officer to charge soldiers or seamen, or the widows, orphans and legal representatives thereof any fees in matters pertaining to pensions.

Read for a first time and referred to committee on State affairs.

Senate Bill No. 60—By Browne. An act for furnishing the State Board of Equalization with certain statistics relating to railroad, telegraph and telephone property.

Read for a first time and referred to the finance committee.

Senate Bill No. 61—By Browne. An act to amend section 70 of an act to provide for the organization, government and powers of cities and villages.

Read for a first time and referred to the finance committee.

House Bill No. 3—By Henry. An act to create the county of Bonner.

Read for a first time and referred to the committee on counties and county boundaries.

House Concurrent Resolution No. 9—By Neill. Directing the Secretary of State to notify all county officers at once of the passage of all bills, etc.

Read for a first time and referred to committee on State affairs.

## SECOND READING OF BILLS.

House Bill No. 75. Read for a second time and recommitted to the committee on judiciary.

Senate Bill No. 42. Read for a second time and filed for third reading.

## THIRD READING OF BILLS.

None.

## CONSIDERATION OF GENERAL CALENDAR.

On motion of Senator Robertson the Senate took a recess until 11:55 o'clock a. m.

## RECONVENED.

The Senate reconvened at 11:55 a. m.

With President *pro tem.* Bierbower in the chair.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

## JOINT SESSION.

Joint assembly called to order by President *pro tem.* Bierbower.

Secretary of the Senate called the roll of the Senate.

All present except Senator Parkinson.

Clerk of the House called the roll of the House.

All present except Mr. Cozier, Speaker.

Quorum present.

That portion of the journal of Saturday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Crane, Day, Henry, Hunt, Monroe, Myer, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Brown, C.M.; Cowden, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Wolters, seconded by Mr. Henry, the joint assembly dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber.

With Mr. President *pro tem.* Bierbower presiding.

On motion of Senator Cunningham the Senate took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Browne, Rees and Watt, and Senator Parkinson, excused.

Quorum present.

On motion of Senator Cunningham, seconded by Senator Dewey, the Senate resolved itself into a committee of the whole with Senator Hanrahan in the chair.

The committee of the whole arose to receive message from the House.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, February 11th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 90, an act to amend sections 3361 and 3362 of the Revised Statutes of Idaho, and to provide for the cancellation of chattel mortgages, which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 90, filed for first reading.

The committee of the whole resumed its sitting.

## REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 11th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 40, by Robertson, and recommend that it do pass; Senate Bill No. 46, by Hanrahan, and recommend that it do pass as amended; Senate Bill No. 38, by Cunningham, and recommend that it do pass; Senate Bill No. 51, by Dewey, and recommend that it retain its place on the calendar; House Bill No. 61, by Wyman, and recommend that it do pass; House Bill No. 63, by Wyman, and recommend that it do not pass.

JAMES HANRAHAN, Chairman.

Pending the adoption of the report of the committee of the whole, on motion of Senator Dewey, the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## TUESDAY—THIRTY-FIRST DAY.

SENATE CHAMBER,

BOISE CITY, February 12th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

## ROLL CALL.

All present except Senator Dewey and Senator Parkinson, excused.

Quorum present.

Prayer by chaplain.

Journal of yesterday read and approved.

The President stated that the first thing in order was the adoption of the report of the committee of the whole.

Senate Bill No. 40, report of the committee of the whole adopted and bill ordered filed for second reading.

Senate Bill No. 46, report of the committee of the whole adopted and bill ordered filed for second reading.

Senate Bill No. 38, report of the committee of the whole adopted and bill filed for second reading.

Senate Bill No. 51, report of the committee of the whole adopted and bill ordered to retain its place on calendar.

House Bill No. 61, report of the committee of the whole adopted and bill ordered filed for second reading.

House Bill No. 63.

Senator Boyce moved to indefinitely postpone.

Motion seconded by Senator Steen.

Senator Cunningham, as an amendment to the motion to indefinitely postpone, moved to recommit House Bill No. 63 to the committee of the whole.

Amendment prevailed and House Bill No. 63 recommitted to the committee of the whole.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

The committee on printing made the following report:

BOISE CITY, February 11th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 29, 44 and 52 and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 52 ordered returned to the committee on State affairs.

Senate Bill No. 29 ordered returned to the committee on State affairs.

Senate Bill No. 44 ordered placed on calendar.

BOISE CITY, February 12th, 1895.

Mr. President: Your committee on State affairs has had under consideration House Concurrent Resolution No. 9, by Neill, and beg leave to recommend that the Senate do concur. ROUNDS, Chairman.

House Concurrent Resolution No. 9, by Neill, placed on calendar.

BOISE CITY, February 12th, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bills No. 57, 59, and recommend that the same be printed and that they do pass. ROUNDS, Chairman.

Senate Bill No. 57 referred to printing committee.

Senate Bill No. 59 referred to printing committee.

The committee on education made the following report:

BOISE CITY, February 12th, 1895.

Mr. President: Your committee on education respectfully report that they have had under consideration Senate Bill No. 32 and recommend that the same be amended by striking out section 1 of the bill. That section 2 shall become section 1 and each section renumbered accordingly and, as amended, do pass. C. M. DAY, Chairman.

Senate Bill No. 32 placed on calendar.

BOISE CITY, February 9th, 1895.

Mr. President: Your committee on education respectfully report that they have had under consideration House Bill No. 54, and recommend that the same pass. DAY, Chairman.

House Bill No. 54 placed on calendar.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 9th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 8, by Browne, that being "An act relating to the delivery of insane persons to the asylum and repealing secs. 777 and 780 of the Revised Statutes of Idaho."

Very respectfully yours, W. J. McCONNELL, Governor.

#### MESSAGES FROM THE HOUSE.

None.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 62—By Steen. An act to redeem outstanding and unpaid county warrants and provide such a system of county finance as shall cause the business of the several counties in this State to be conducted on a cash basis.

Read for a first time and referred to the finance committee.

Senate Bill No. 63—By Browne. An act to establish the fiscal year.  
Read for a first time and referred to the finance committee.

House Bill No. 90—By Wyman. An act to amend sections 3361 and 3362 of the Revised Statutes of Idaho, and to provide for the cancellation of chattel mortgages.

Read for a first time and referred to judiciary committee.

Senate Bill No. 64—By Dewey. An act to amend section 8 of an act entitled an act for the appointment of sheep inspectors.

Read for a first time and referred to the committee on agriculture and live stock.

#### SECOND READING OF BILLS.

Senate Bill No. 40—By Robertson.

Read a second time, ordered engrossed and filed for third reading.

House Bill No. 61—By Wyman.

Read a second time and ordered filed for third reading.

Senate Bill No. 38—By Cunningham.

Read a second time, ordered engrossed and filed for third reading.

Senate Bill No. 46—By Hanrahan.

The following amendment to Senate Bill No. 46, by Hanrahan, was adopted: After the word "annexation," in line seven, insert "and against division and annexation."

Bill read a second time as amended, amendment ordered printed, and when printed, ordered engrossed and filed for third reading.

#### THIRD READING OF BILLS.

Senate Bill No. 42—By Boyce.

Referred to committee on engrossed and enrolled bills.

On motion of Senator Cunningham the Senate took a recess subject to the call of the chair.

#### RECONVENED.

Senate reconvened at 11:50 a. m. with President *pro tem*. Bierbower presiding.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 12th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 42, by Boyce, and begs leave to report the same correctly engrossed. ROUNDS, Chairman.

Committee on finance made the following report:

BOISE CITY, February 12th, 1895.

Mr. President: Your committee on finance respectfully reports that it has had under consideration Senate Bills No. 60 and 63 and recommends that the same be printed and do pass. BROWNE, Chairman.

Senate Bill No. 60 referred to committee on printing.

Senate Bill No. 63 referred to printing committee.

Committee on highways, bridges and ferries made the following report:

BOISE CITY, February 12th, 1895.

Mr. President: Your committee on highways, bridges and ferries respectfully reports that it has had under consideration Substitute for

Senate Bill No. 25, by Miller, and recommend that the same do pass.

MYER, Chairman.

Substitute Senate Bill No. 25, by Miller, placed on calendar.

THIRD READING OF BILLS.

Senate Bill No. 42, by Boyce, read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Rounds, Smith, Steen, Mr. President *pro tem.* Bierbower—15.

Absent—Senators Parkinson, Robertson, Watt—3.

Title read and approved and bill transmitted to the House.

The hour of 12 o'clock having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Parkinson.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Messrs. Bierbower and Parkinson paired.

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Shoup received 19 votes.

Mr. Sweet received 18 votes.

Mr. Claggett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, N. H. Young—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Thomas, seconded by Mr. Brown, C. M., the joint assembly was dissolved.

RECONVENED.

The Senate reconvened in the Senate chamber, and on motion of Senator Dewey, seconded by Senator Watt, the Senate took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

Senate met at 2 o'clock p. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Day, Robertson and Smith.

Senator Parkinson excused.

Quorum present.

On motion of Senator Browne the Senate resolved itself into a committee of the whole with Senator Steen, in the chair.

The committee of the whole made the following report:

BOISE CITY, February 12th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 51, by Dewey, and recommend that it retain its place on the calendar; Senate Bill No. 47, by Browne, and recommend that it do pass as amended, and that the amendments be printed; House Bill No. 14, by Cowden, and recommend that it do not pass; House Bill No. 27, by Wyman, and recommend that it do not pass.

J. E. STERN, Chairman.

On motion of Senator Browne, seconded by Senator Rees, the report of the committee of the whole was adopted.

Senate Bill No. 51 ordered to retain its place on the calendar.

Senate Bill No. 47 read a second time by title, amendments ordered printed, and when printed, the bill ordered engrossed and filed for third reading.

House Bill No. 14.

On motion of Senator Bierbower, House Bill No. 14 was ordered indefinitely postponed.

House Bill No. 27.

On motion of Senator Dewey House Bill No. 27 was indefinitely postponed.

On motion of Senator Bierbower seconded by Senator Browne, the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## WEDNESDAY—THIRTY-SECOND DAY.

SENATE CHAMBER,

BOISE CITY, February 13th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All Senators present except Senators Browne, Dewey and Watt. Senator Parkinson, excused.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

## MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 12th, 1895.

*Officers and Members of the Idaho Legislature:*

Gentlemen: I desire to call your attention to the importance of

providing for the establishment of a State Historical Society, which might be attached to the State university. The object of this society would be to collect everything possible relating to the history, past, present and future of our State.

Those who constituted our first population are rapidly passing away. Incidents which would fill volumes of history and which would read like romances will soon be buried with the actors who took part in the early drama of the settlement of this now State of Idaho, unless some action is soon taken to preserve a record of their deeds. The narratives of the survivors of those who engaged in mining, in packing, in business, in politics and in the Indian wars should be preserved.

Former legislatures have neglected to take any action in the matter, and while I have no advice to offer as to methods to be followed, preferring to leave details to the sound judgment of yourselves, I respectfully suggest that you appoint a committee to take this subject under consideration with a view of handing down to posterity the history of the establishment and building up of what will be in the near future one of the grandest states in the Union. Very respectfully,

W. J. McCONNELL, Governor.

Governor's message referred to committee on State affairs.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 12th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 72, by Johnson, an act to amend sections 1, 2 and 5 of an act to provide for the appointment, duties and compensation of stenographic reporters of the district courts, approved March 14th, 1891; also House Bill No. 2, by Wyman, an act to define the manner of locating lodes, quartz and placer claims, to determine boundaries thereof, to provide for discovery shafts or cross-cuts, to determine the form of location certificates, to provide for location of abandoned claims, assessment work and proof thereof, and for amendment of location notices, to provide for security of surface owners, to amend sections 3103, 3105, and to repeal sections 3100, 3102 and 3104 of chapter 1, title 8, and sections 3120, 3121 and 3122 of chapter 2, title 8, Revised Statutes of the State of Idaho, which are herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 2, by Wyman, filed for first reading.

House Bill No. 72, by Johnson, filed for first reading.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, IDAHO, February 13th, 1895.

Mr. President: Your committee on engrossed and enrolled bills respectfully reports that it has had under consideration Senate Bills No. 40, 38, 46 and 47, and begs leave to report the same correctly engrossed. ROUNDS, Chairman.

Senate Bills No. 40, 38, 46, 47, filed for third reading.

BOISE CITY, IDAHO, February 13th, 1895.

Mr. President: Your committee on printing respectfully reports that it has had under consideration Senate Bills No. 63 and 59, and report the same correctly printed. G. D. GOLDEN, Chairman.

Senate Bills No. 59, 63, placed on calendar.

BOISE CITY, IDAHO, February 13th, 1895.

Mr. President: Your committee on State affairs respectfully reports that it has had under consideration Senate Bill No. 29, and recommend that the same pass; Senate Bill No. 52, and recommend that the same do not pass; Senate Bill No. 55, and recommend that the same be printed and referred to the committee of the whole. ROUNDS, Chairman.

Senate Bills No. 29, 52, placed on calendar.

Senate Bill No. 55 referred to printing committee.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 65—By Cunningham. An act requiring prisoners in county jails to perform manual labor.

Read a first time and referred to committee on State affairs.

Senate Bill No. 66—By Miller. An act to abolish attorneys' fees in mortgage foreclosure, etc.

Read a first time and referred to finance committee.

House Bill No. 72—By Johnson. An act to amend sections 1, 2 and 5 of an act to provide for the appointment, duties and compensation of stenographic reporters of the district courts, approved March 14th, 1891.

Read a first time and referred to committee on judiciary.

House Bill No. 2—By Wyman. An act to define the manner of locating lodes, quartz and placer, and to determine boundaries.

Read a first time and referred to committee on mines and mining.

#### SECOND READING OF BILLS.

None.

#### THIRD READING OF BILLS.

Senate Bill No. 38—By Cunningham.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt,—15.

Absent—Senators Browne, Parkinson and President *pro tem*. Bier-bower

Title read and approved and bill transmitted to the House.

Senate Bill No. 40—By Robertson.

Read a third time and on motion of Senator Robertson, recommit-  
ted to committee on corporations.

Senate Bill No. 47—By Browne.

By unanimous consent the third reading of this bill was passed un-  
til tomorrow.

Senate Bill No. 46—By Hanrahan.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden,

Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Browne and Parkinson.

Title read and approved and bill transmitted to the House.

House Bill No. 61—By Wyman.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Browne and Parkinson.

Title read and approved and bill transmitted to the House.

On motion of Senator Cunningham the Senate took a recess until 11:55 o'clock a. m.

#### RECONVENED.

The Senate reconvened and the hour of 12 o'clock m. having arrived proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

The secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 54.

Necessary to a choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Wolters, seconded by Mr. Elder, the joint assembly dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Dowey took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment  
President Mills presiding.

Roll called.

All Senators present except Watt.

Quorum present.

On motion of Senator Browne, seconded by Senator Dewey, the Senate resolved itself into a committee of the whole with Senator Cunningham in the chair.

## REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 13th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 51, by Dewey, and report substitute with the recommendation that it be printed; Senate Bill No. 32, by Steen, recommend that it pass as amended; Senate Bill No. 25, by Miller, and recommend that it retain its place on the calendar; Senate Bill No. 44, by Browne, and recommend that it pass; House Bill No. 63, by Wyman, and recommend that it do not pass; House Bill No. 54, by Smith, and recommend that it pass; House Concurrent Resolution No. 9, by Neill, and recommend concurrence.

CUNNINGHAM, Chairman.

Senate Bill No. 51, report of the committee of the whole adopted and substitute ordered printed.

Senate Bill No. 32, report of committee of the whole adopted, read a second time and referred to committee on engrossed and enrolled bills.

Senate Bill No. 25, report of the committee of the whole adopted, ordered to retain its place on the calendar.

Senate Bill No. 44, report of committee of the whole adopted, read a second time, ordered engrossed. Referred to committee on engrossed and enrolled bills.

House Bill No. 63, report of the committee adopted and on motion of Senator Boyce, the bill was indefinitely postponed.

House Bill No. 54, report of the committee of the whole adopted, and bill ordered filed for second reading.

House Concurrent Resolution No. 9, report of the committee of the whole adopted. Resolution read a second time and filed for third reading.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## THURSDAY—THIRTY-THIRD DAY.

SENATE CHAMBER,

BOISE CITY, February 14th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senator Robertson.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 44, by Browne, and Senate Bill No. 32, by Steen, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No 44, by Browne, filed for third reading.

Senate Bill No. 32, by Steen, filed for third reading.

Committee on printing made the following report:

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bill No. 55, and that the same has been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 55 placed on calendar.

Committee on State affairs made the following report:

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No 65, and respectfully recommends that the same be printed and that it pass.

ROUNDS, Chairman.

Senate Bill No. 65 referred to the committee on printing.

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 43, by Dewey, and begs leave to report the same back without recommendation for action in the committee of the whole.

ROUNDS, Chairman.

Senate Bill No. 43 placed on calendar.

BOISE CITY, February 11th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No. 31, and recommend that the same be favorably reported.

PARKINSON, Chairman.

Senate Bill No. 31 placed on calendar

Committee on highways, bridges and ferries made the following report:

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on highways and bridges respectfully report that they have had under consideration Senate Bill No. 48, by Watt, and recommend that section 1 be amended to read as follows: On lines 1 and 2, the words "twelve thousand two hundred and forty-five dollars," be stricken out and that "eight thousand eight hundred and fifty dollars" be inserted in lieu thereof, and that the bill be printed.

MYER, Chairman.

Senate Bill No. 48 referred to committee on printing.

The President announced that he was about to sign House Bill No. 61.

## MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 13th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: The within enclosure is a copy of a letter received

this day from the Secretary of War. It is your province to determine whether provision should be made for myself and staff, or any other representative citizens to attend that national gathering.

I have no recommendation to make in the matter, preferring to leave it to your wise judgment. Very Respectfully,

W. J. McCONNELL, Governor.

(Enclosure.)

January 29th, 1895.

*To the Governor of the State of Idaho, Boise City, Idaho:*

Sir: Under an act of Congress approved December 15th, 1894, it is provided that the dedication of the Chickamauga and Chattanooga National Military Park shall take place at Chickamauga, Georgia, and Chattanooga, Tennessee, the 19th and 20th of September next, and that the Secretary of War shall invite the Governors of states and their staffs, and the survivors of the several armies engaged in the battles of Chickamauga and Chattanooga to participate in the inauguration ceremonies.

I have therefor the honor to request your presence and that of your staff, together with such further representation from your State as the legislature thereof may see fit to authorize, at such dedication.

A copy of the act of Congress relating to the dedication is herewith enclosed; also a circular setting forth the progress made in establishing the park. A programme of the ceremonies will be sent you at a later day. No appropriation has been made by Congress for paying the expenses of state representatives. It is hoped, however, that the State of Idaho will make early provision for a large attendance of its citizens at this national dedication.

I am, sir, very respectfully, your obedient servant,

DANIEL S. LAMONT, Secretary of War.

Referred to committee on military and Indian affairs.

#### MESSAGES FROM THE HOUSE.

None.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 67—By Robertson. An act to divide the county of Canyon and annex a portion thereof to the county of Ada.

Read a first time and referred to the committee on counties and county boundaries.

Senate Bill No. 68—By Rounds. An act to amend section 4304 of the Revised Statutes of Idaho.

Read a first time and referred to the judiciary committee.

#### SECOND READING OF BILLS.

House Bill No. 54—By Smith.

Read a second time and ordered filed for a third reading.

#### THIRD READING OF BILLS.

House Concurrent Resolution No. 9—By Neill.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the resolution pass?"

Roll called and the resolution passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden,

Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Boyce and Parkinson.

Resolution transmitted to the House.

Senate Bill No. 47—By Browne.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Parkinson.

Title read and approved and bill transmitted to the House.

Senate Bill No. 32—By Steen.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

\* Absent—Senator Parkinson.

Title read and approved and bill transmitted to the House.

Senate Bill No. 44—By Browne.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Steen, Mr. President *pro tem.* Bierbower—12.

Voting no—Senators Boyce, Hanrahan, Rounds, Smith—4.

Absent—Senators Parkinson and Watt.

Senator Robertson gave notice that he would move to reconsider the vote by which Senate Bill No. 44 was passed, on tomorrow.

On motion of Senator Cunningham the Senate took a recess subject to the call of the chair.

#### RECONVENED.

The Senate reconvened and the hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

The secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 54.

Necessary to choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Mr. Hughes moved that the joint assembly proceed to ballot for a United States Senator.

Mr. Sanders seconded the motion.

Mr. Thomas moved that the joint assembly do now dissolve.

Motion to dissolve prevailed.

#### RECONVENED.

The Senate reconvened in the Senate chamber.

Mr. President *pro tem*. Bierbower was excused for the day.

On motion of Senator Bierbower the Senate took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Boyce, Browne, Rees, Robertson, President *pro tem*. Bierbower, excused.

On motion of Senator Watt the Senate resolved itself into a committee of the whole, with Senator Watt in chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 14th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 25, and recommend that it be recommitted to committee on highways, bridges and ferries; Senate Bill No. 52, and recommend that it be recommitted to committee on State affairs; Senate Bill No. 59, and recommend that it pass; Senate Bill No. 63, and recommend that it pass; Senate Bill No. 29, and recommend that it pass.

W. H. WATT, Chairman.

On motion of Senator Boyce, seconded by Senator Browne, the report of the committee of the whole was adopted.

Senate Bill No. 25, by Miller, ordered recommitted to the committee on highways, bridges and ferries.

Senate Bill No. 52, by Miller, ordered recommitted to committee on State affairs.

Senate Bill No. 59, by Steen, filed for second reading.

Senate Bill No. 63, by Browne, filed for second reading.

Senate Bill No. 29, by Boyce, filed for second reading.

On motion of Senator Browne the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

FRIDAY—THIRTY-FOURTH DAY.

SENATE CHAMBER,

BOISE CITY, February 15th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Robertson introduced petitions signed by citizens of Canyon county favoring the annexation of a portion of Canyon county to Ada county.

Petitions filed and referred to committee on counties and county boundaries, to accompany Senate Bill No. 67.

REPORTS OF STANDING COMMITTEES.

BOISE CITY, February 15th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 45, 51, 7, and that the same have been correctly printed. G. D. GOLDEN, Chairman.

Senate Bill No. 45 referred to committee on highways, bridges and ferries.

Senate Bill No. 51 placed on calendar.

Senate Bill No. 7 placed on calendar.

Committee on finance made the following report:

BOISE CITY, February 15th, 1895.

Mr. President: Your committee on finance respectfully report that they have had under consideration Senate Bill No. 61, and recommend that the same be printed and do pass. BROWNE, Chairman.

Referred to printing committee.

Committee on highways, bridges and ferries made the following report:

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on highways and bridges has had under consideration Senate Bill No. 25, by Miller, and recommend that same be amended by inserting in section 1, between subdivisions 2 and 4, the following: Subdivision 3. Cause to be recorded as highways such roads as have become such by usage or abandonment to the public.

MYER, Chairman.

Senate Bill No. 25, amendment ordered printed and bill placed on calendar.

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on agriculture and live stock respectfully report that they have had under consideration House Bill No. 94, and recommend that the same do not pass. SMITH, Chairman.

House Bill No. 94, placed on calendar.

BOISE CITY, February 14th, 1895.

Mr. President: Your committee on agriculture and live stock respectfully report that they have had under consideration Senate Bill No. 24, by Parkinson, and recommend that the same pass.

SMITH, Chairman.

Senate Bill No. 24 placed on calendar.

BOISE CITY, February 15th, 1895.

Mr. President: Your committee on military and Indian affairs respectfully report that they have had under consideration Senate Bill No. 58, and recommend that it do not pass

SMITH, Chairman.

Senate Bill No. 75 was by consent taken out of the hands of the judiciary committee and referred to committee on State affairs.

#### MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 14th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 92, by Brown, an act to amend section 47 of an act entitled an act to establish and maintain a system of free schools; also Senate Bill No. 18, by Watt, an act to provide for making sheriff deeds when the sheriff making the sale is no longer in office, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

Senate Bill No. 18, by Watt, referred to the committee of the whole.  
House Bill No. 92, by Brown, filed for first reading.

#### MOTIONS AND RESOLUTIONS.

By unanimous consent Senator Robertson withdrew his notice of motion to reconsider the vote on Senate Bill No. 44.

Senate Bill No. 44 transmitted to the House.

#### FIRST READING OF BILLS.

Senate Bill No. 69—By Myer. To provide for the reclamation of State arid lands.

Read a first time and referred to the joint committee on irrigation.

House Bill No. 92—By Browne. An act to amend section 47 of an act entitled an act to establish and maintain a system of free schools.

Read a first time and referred to the committee on education.

#### SECOND READING OF BILLS.

Senate Bill No. 63—By Browne.

Read a second time and referred to committee on engrossed and enrolled bills.

Senate Bill No. 59—By Steen.

Read a second time and referred to committee on engrossed and enrolled bills.

Senate Bill No. 29—By Boyce.

Senator Dewey moved to lay the bill on the table.

Senator Cunningham seconded the motion.

Motion lost.

Bill read a second time and referred to committee on engrossed and enrolled bills.

#### THIRD READING OF BILLS.

House Bill No. 54—By Smith.

Read a third time and placed upon its passage.

President stated the question: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, Mr. President *pro tem.* Bierbower—17.

Excused from voting—Senator Steen.

Title read and approved and the bill transmitted to the House.

The President announced that he was about to sign House Concurrent Resolution No. 9.

Senator Browne moved that the Senate take a recess subject to the call of the chair.

Motion prevailed.

#### RECONVENED.

The Senate reconvened and the hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. Thomas.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Thomas and Speaker Cozier paired.

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Smith, seconded by Mr. Johnson, the joint assembly was dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber.

On motion of Senator Dewey and by unanimous consent Senate Bill No. 31 was made a special order for 2 o'clock this p. m.

On motion of Senator Dewey the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION. •

The Senate met at 2 o'clock p. m. pursuant to adjournment.

Roll called.

All present except Senator Miller, excused.

The hour of 2 o'clock having arrived the Senate resolved itself into a committee of the whole for the purpose of considering Senate Bill No. 31.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 15th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 31. During the progress and consideration of the bill the committee arose.

BROWNE, Chairman.

On motion of Senator Browne the report of the committee of the whole was adopted.

Senator Dewey moved that the Senate take a recess until 7:30 o'clock p. m.

Senator Myer moved to adjourn until 10 o'clock tomorrow morning.

Motion to adjourn prevailed.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

SATURDAY—THIRTY-FIFTH DAY.

SENATE CHAMBER,

BOISE CITY, February 16th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

REPORTS OF STANDING COMMITTEES.

The committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 16th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 29, by Boyce; Senate Bill No. 63, by Browne, and Senate Bill No. 59, by Steen, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 29 filed for third reading.

Senate Bill No. 63 filed for third reading.

Senate Bill No. 59 filed for third reading.

BOISE CITY, February 16th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 61, 60, 65, 57, and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 61 ordered returned to finance committee.

Senate Bill No. 60 ordered placed on general calendar.

Senate Bill No. 65 ordered placed on general calendar.

Senate Bill No. 57 ordered placed on general calendar.

BOISE CITY, February 16th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No. 67 and recommend that the same be printed.

PARKINSON, Chairman.

Senate Bill No. 67 referred to printing committee.

BOISE CITY, February 16th, 1895.

Mr. President: Your committee on judiciary have had under consideration Senate Bill No. 68 and recommend that the same be printed and that it do pass; also House Bill No. 90 and recommend that it do pass.

BIERBOWER, Chairman.

Senate Bill No. 68 referred to printing committee.

House Bill No. 90 placed on general calendar.

BOISE CITY, February 15th, 1895.

Mr. President: Your committee on State affairs respectfully report that they have had under consideration House Bill No. 73, by Neill, and recommend that the amendment as proposed by the committee of the whole be not adopted and that the bill do pass. ROUNDS, Chairman.

Amendments to House Bill No. 73 proposed by the committee of the whole:

FIRST AMENDMENT.

In title of the bill before the word "years," strike out the word "eighteen" and insert "sixteen."

SECOND AMENDMENT.

Also, in section 1, under first, strike out "eighteen" and insert the word "sixteen."

House Bill No. 73—By Neill.

Report of the committee on State affairs adopted and original bill filed for second reading.

MOTIONS AND RESOLUTIONS.

Senate Bill No. 31.

By unanimous consent Senate Bill No. 31 was made a special order for 2 o'clock this afternoon.

Senate Joint Resolution No. 10—By Golden. A joint resolution to submit to the electors of the State of Idaho for rejection or approval an amendment to section 3, of article 6, of the Constitution of the State of Idaho to eliminate the question of celestial or plural marriages in the qualification of voters.

Read for a first time and referred to committee on privileges and elections.

The President announced that he was about to sign House Bill No. 54, by Smith.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 70—By Browne. An act entitled an act for the organization of the militia of the State of Idaho, approved March 14th, 1891, etc.

Read for a first time and referred to committee on military and Indian affairs.

## SECOND READING OF BILLS.

House Bill No. 73.

Senator Cunningham moved that the Senate do not concur in the Senate amendment to House Bill No. 73.

Motion prevailed.

Read a second time and filed for third reading.

## THIRD READING OF BILLS.

Senate Bill No. 29—By Boyce.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Day, Dewey, Hanrahan, Heitfeld, Miller, Rees, Robertson, Rounds, Smith—10.

Voting no—Senators Browne, Cunningham, Golden, Myer, Steen, Mr. President *pro tem.* Bierbower—6.

Absent—Senators Parkinson and Watt.

Title read and approved.

Senator Dewey gave notice that on tomorrow he would move to reconsider the vote by which Senate Bill No. 29 passed.

Senate Bill No. 63—By Browne.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Mr. President *pro tem.* Bierbower—17.

Absent—Senator Watt.

Title read and approved and bill transmitted to the House.

Senate Bill No. 59—By Steen.

Read for a third time.

And the President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Parkinson, Rees, Robertson, Rounds, Smith, Steen, President *pro tem.* Bierbower—15.

Voting no—Senator Myer.

Absent—Senators Watt and Browne.

Title read and approved and bill transmitted to the House.

Senate Bill No. 39.

Under the authority of section 3 of rule 20 of the standing rules of the Senate, Senator Cunningham called for a report from the judiciary committee on Senate Bill No. 39.

There being no objection the judiciary committee was directed by the President to report Senate Bill No. 39 within three days.

On motion of Senator Cunningham the Senate resolved itself into a committee of the whole with Senator Cunningham in the chair.

## REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 16th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Substitute for Senate Bill No.

51, by Dewey, and recommend that it do pass; Senate Bill No. 43, by Dewey, and recommend that it retain its place upon the calendar; Senate Bill No. 55, and recommend that it be indefinitely postponed.

CUNNINGHAM, Chairman.

On motion of Senator Cunningham the report of the committee of the whole was adopted.

Substitute for Senate Bill No. 51 filed for second reading.

Senate Bill No. 43 ordered to retain its place on the calendar.

Senate Bill No. 55 indefinitely postponed.

On motion of Senator Dewey the Senate took a recess subject to the call of the chair.

#### RECONVENED.

The Senate reconvened and the hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. Thomas.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Thomas and Speaker Cozier paired.

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Brown, C.M.; Cowden, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Mr. Johnson moved that the joint assembly proceed to ballot for a United States Senator.

Motion seconded by Mr. Hughes.

Mr. Henry moved that the joint assembly do now dissolve.

Motion seconded by Mr. Wolters.

Motion to dissolve prevailed.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Cunningham, seconded by Senator Browne, the Senate took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

The Senate met at 2 o'clock p. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All Senators present.

The hour of 2 o'clock having arrived, the Senate resolved itself into the committee of the whole for the purpose of considering Senate Bill No. 31.

## REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 16th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 31. During the progress and consideration of the bill the committee arose.

BROWNE, Chairman.

On motion of Senator Browne the report of the committee of the whole was adopted.

On motion of Senator Browne the Senate adjourned until 10 o'clock Monday morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## MONDAY—THIRTY-SIXTH DAY.

SENATE CHAMBER,

BOISE CITY, February 18th, 1895.

Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

Roll called.

All present.

Quorum present.

Prayer by the chaplain.

Journal of Saturday read and approved.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

Committee on agriculture made the following report:

BOISE CITY, February 16th, 1895.

Mr. President; Your committee on agriculture respectfully report that they have had under consideration Senate Bill No. 34, by Heitfeld, and recommend that the same be ordered printed. SMITH, Chairman.

Senate Bill No. 34 referred to the committee on printing.

Committee on privileges and elections made the following report:

BOISE CITY, February 18th, 1895.

Mr. President: Your committee on privileges and elections respectfully report that they have had under consideration Senate Joint Resolution No. 10, by Golden, and recommend a substitute and that said substitute be printed. PARKINSON, Chairman.

Senate Joint Resolution No. 10, with substitute, referred to committee on printing.

## MESSAGE FROM THE GOVERNOR.

None.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, February 18th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 68, by Smith, an act for the issuing of State bonds for the benefit of the Albion State Normal school and the Lewiston State Normal school; also House Bill No. 17, by Hughes, an act to amend section 4482 of the Revised Statutes; also substitute for House Bill No. 32, an act to provide for the destruction of certain wild animals, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 68 filed for first reading.

House Bill No. 17 filed for first reading.

Substitute for House Bill No. 32 filed for first reading.

## MOTIONS AND RESOLUTIONS.

On motion of Senator Watt, Senate Bill No. 31 was made a special order for 2 o'clock this afternoon.

Senate Bill No. 29.

Pursuant to notice given on Saturday, Senator Dewey moved to reconsider the vote by which Senate Bill No. 29 passed the Senate.

Senator Boyce moved to lay the "motion to reconsider" on the table.

Roll call requested on motion to lay the "motion to reconsider" on the table.

Roll called with the following result:

Voting aye—Senators Boyce, Day, Hanrahan, Heitfeld, Miller, Rees, Robertson, Rounds, Smith,—9.

Voting no—Senators Browne, Cunningham, Dewey, Golden, Myer, Parkinson, Steen, Watt, President *pro tem.* Bierbower—9.

The result of the roll call being a tie, the President announced that he voted "aye."

Motion to lay the "motion to reconsider" on the table prevailed.

Senate Bill No. 29 transmitted to the House.

## FIRST READING OF BILLS.

Senate Bill No. 71—By Dewey. An act concerning expenses of district attorneys.

Read a first time and referred to judiciary committee.

House Bill No. 17—By Hughes. An act to amend section 4482 of the Revised Statutes.

Read a first time and referred to committee on judiciary.

Substitute for House Bill No. 32—By McMillan. An act to provide for the destruction of certain wild animals.

Read a first time and referred to committee on State affairs.

House Bill No. 68—By Smith. An act providing for the issue of State bonds for the benefit of the Albion State Normal school and the Lewiston State Normal school.

Read a first time and referred to committee on education.

## SECOND READING OF BILLS.

Substitute for Senate Bill No. 51 read a second time and referred to committee on engrossed and enrolled bills.

## THIRD READING OF BILLS.

House Bill No. 73—By Neill.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, President *pro tem.* Bierbower—16.

Title read and approved and bill transmitted to the House.

On motion of Senator Rounds the Senate took a recess subject to the call of the chair.

## RECONVENED.

The Senate reconvened, and the hour of 12 o'clock m. having arrived, proceeded to the hall of the House of Representatives to ballot for a United States Senator.

## JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present except Mr. J. L. Smith.

Quorum present.

That portion of the journal of Saturday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 53.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Thomas, Thompson, Verbeck, Walker and Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman and Watt—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Thomas, seconded by Mr. Wolters, the joint assembly dissolved.

## RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Golden took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

The Senate met at 2 o'clock p. m. pursuant to adjournment.  
President Mills presiding.

Roll called.

All Senators present.

Quorum present.

The hour of 2 o'clock having arrived the Senate resolved itself into the committee of the whole for the purpose of considering Senate Bill No. 31.

Senator Browne in the chair.

Note. Before going into the committee of the whole, Senator Cunningham announced that Senate Bill No. 39 had been lost, and asked leave to file the printed copy in place of the original, and that the secretary be instructed to indorse the Senate record thereon.

By unanimous consent such substitution was made and the Senate record ordered endorsed thereon.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 18th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 31, by Watt, and report progress and ask leave to sit again. BROWNE, Chairman.

On motion of Senator Day the report of the committee of the whole was adopted.

On motion of Senator Dewey the Senate resolved itself into the committee of the whole, with Senator Browne in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 18th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 43, by Dewey, and recommend that it retain its place on the calendar; Senate Bill No. 18, by Watt, and recommend that the House amendments be concurred in; Senate Bill No. 58, by Steen, and recommend that it be indefinitely postponed; Senate Bill No. 24, by Parkinson, and recommend that the same do pass; Senate Bill No. 25, by Miller, and recommend that the bill be committed to the committee on highways, bridges and ferries; Senate Bill No. 60, by Browne, and recommend that it do pass; Senate Bill No. 70, by Browne, and recommend that it retain its place on the calendar; Senate Bill No. 65, by Cunningham, and recommend that it pass as amended and that the amendments be printed; Senate Bill No. 57, by Rounds, and recommend that it pass. BROWNE, Chairman.

The report of the committee of the whole was adopted.

Senate Bill No. 43 placed on the general calendar.

Senate Bill No. 18 referred to the enrollment committee.

Senate Bill No. 58 indefinitely postponed.

Senate Bill No. 24 read a second time, ordered engrossed and filed for third reading.

Senate Bill No. 25 recommitted to committee on highways, bridges and ferries.

Senate Bill No. 7 retain its place on the calendar.

Senate Bill No. 60 read a second time, ordered engrossed and filed for third reading.

Senate Bill No. 65, amendments ordered printed, and bill filed for second reading.

Senate Bill No. 57 read a second time, ordered engrossed and filed for third reading.

Senate Bill No. 65.

## AMENDMENTS.

In section 1 after the word "exceed," and before the word "hours," strike out the word "ten" and insert the word "eight."

Senate Bill No. 18, amendments proposed by the House and concurred in by the Senate:

In lines 2 and 3 of printed bill, section 1, strike out the words "before the time allowed by law for the redemption of such real estate has elapsed."

Senate Joint Memorial No. 5.

By unanimous consent Senator Browne introduced Senate Joint Memorial No. 5. Praying for the removal of certain obstructions existing in the Clark's Fork of the Columbia river.

Read a first time and referred to the committee on State affairs.

## MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 18th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 20, by Bierbower, an act ceding to the government of the United States jurisdiction over certain lands, which is herewith transmitted Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bill No. 20 referred to enrollment committee.

On motion of Senator Parkinson the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## TUESDAY—THIRTY-SEVENTH DAY.

SENATE CHAMBER,

BOISE CITY, February 19th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Hanrahan, Robertson and Smith.

Quorum present.

Prayer by chaplain.

Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

Committee on printing made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 67 and 68, and that the same have been correctly printed. G. D. GOLDEN, Chairman.

Senate Bill No. 67 rereferred to the committee on counties and county boundaries.

Senate Bill No. 68 referred to the committee of the whole, placed on the calendar.

Committee on counties and county boundaries made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration House Bill No. 3, and recommend that the same pass. PARKINSON, Chairman.

House Bill No. 3 placed on general calendar.

Committee on highways, bridges and ferries made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on highways, bridges and ferries respectfully report that they have had under consideration Senate Bill No. 14, and recommend that the same be printed and that it do pass; also, Senate Bill No. 45, and recommend that it be committed to the committee of the whole. MYER, Chairman.

Senate Bill No. 14 referred to printing committee.

Senate Bill No. 45 placed on calendar.

Committee on education made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on education respectfully reports that it has had under consideration House Bill No. 68 and House Bill No. 92, and recommend that the same do pass. DAY, Chairman.

House Bill No. 68 placed on calendar.

House Bill No. 92 placed on calendar.

Senate Bill No. 70.

Under the authority of section 3, of rule 20, of the standing rules of the Senate, Senator Browne called for a report from the committee on military and Indian affairs on Senate Bill No. 70.

There being no objection the committee on military and Indian affairs was directed by the President to report Senate Bill No. 70 within three days.

#### REPORTS OF SPECIAL COMMITTEES.

Mr. President: Your special committee appointed to visit the Soldiers' Home respectfully report as follows:

We recommend that the commandant shall be a surgeon, and have such compensation as the board of trustees may direct, not to exceed fifteen hundred dollars per year and board, and that he shall pay pro rata for board for his family; also that he shall have an adjutant, with such salary as the board of trustees may direct, not to exceed seven hundred dollars per year and board; and that he shall pay pro rata for board for his family.

We also recommend that an engineer shall be employed during seven months of the year at such salary as the board of trustees may direct and board for himself; and to pay pro rata for board for his family.

We also recommend that the present board of trustee be abolished and that a board of three trustees be constituted for said home and that they shall perform the duties of their respective offices without compensation.

We further recommend that for the ensuing two years it will be unnecessary to employ a surgeon, (other than the commandant) matron or farm hand.

For the purpose of paying the expenses of the employees herein mentioned, rations, clothing, fixtures, carpets, improvements upon land and outbuildings, that the sum of thirty thousand dollars be appropriated for the purpose of defraying expenses for the ensuing two years. SMITH, Chairman.

Report referred to committee on finance.

MESSAGES FROM THE GOVERNOR.

None.

MESSAGE FROM THE HOUSE.

None.

MOTIONS AND RESOLUTIONS.

None.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 72—By Browne. An act to amend sections 870 and 880 of the Revised Statutes and directing the disposition of money derived from property road taxes.

Read a first time and referred to committee on finance.

Senate Bill No. 73—By Browne. An act relating to the payment of taxes in independent school districts.

Read a first time and referred to committee on education.

Senate Bill No. 74—By Watt. An act to provide for the appointment, qualifications and duties of notaries public and certifying their official acts.

Read a first time and referred to judiciary committee.

SECOND READING OF BILLS.

Senate Bill No. 65, by unanimous consent was read a second time, ordered engrossed and filed for third reading.

On motion of Senator Robertson the Senate took a recess until 11:55 o'clock a. m.

RECONVENED.

By unanimous consent the Senate returned to the fourth order of business.

Committee on corporations made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on corporations respectfully report that they have had under consideration Senate Bill No. 53, and recommend that the same be printed; also Senate Bill No. 56, and recommend that the same be printed and report the same back without recommendation.

ROBERTSON, Chairman.

Senate Bill No. 53 referred to printing committee.

Senate Bill No. 51 referred to printing committee.

Committee on agriculture and live stock made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on agriculture and live stock respectfully report that they have had under consideration Senate Bill No. 64, and recommend that it do not pass.

SMITH, Chairman.

Senate Bill No. 64 placed on calendar.

Committee on finance made the following report:

BOISE CITY, IDAHO, February 19th, 1895.

Mr. President: Your committee on finance respectfully reports that it has had under consideration Senate Bill No. 61, and recommend that the same be printed and that it do pass; also Senate Bill No. 62 and recommend that the same be printed.

BROWNE, Chairman.

Senate Bill No. 61 placed on calendar.

Senate Bill No. 62 referred to the printing committee.

By unanimous consent the Senate returned to the ninth order of business.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 75—By Cunningham, chairman. An act to provide for a State Engineer, defining his duties and regulating his compensation, and to provide for the acceptance by the State of Idaho from the United States of certain lands, and to provide for the reclamation and occupation and disposal of the same.

Read a first time and referred to printing committee.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the hall of the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint assembly called to order by President *pro tem.* Bierbower.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 54.

Necessary to choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Browne, R. S.; Brown, C. M.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. C. M. Brown the joint assembly dissolved.

RECONVENED.

On motion of Senator Dewey the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate met at 2 o'clock p. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Browne and Bierbower.

Quorum present.

The President announced that he was about to sign—

Senate Bill No. 20.

Senate Bill No. 18.

House Bill No. 73.

By unanimous consent the Senate returned to the ninth order of business.

Senate Bill No. 76—By Parkinson. An act creating and organizing the county of Franklin and defining its boundaries.

Read a first time and referred to committee on counties and county boundaries.

Senate Bill No. 77—By Rounds. To amend an act entitled an act to establish and maintain a system of free schools, approved March 11th, 1893.

Read a first time and referred to committee on education.

By unanimous consent the Senate returned to the eighth order of business.

#### MOTIONS AND RESOLUTIONS.

Senator Day moved that a special committee of five Senators be appointed by the President, charged with the investigation of the differences between Alturas and Logan counties, and report to the Senate as to the adjustment of said differences.

Motion prevailed.

And the President appointed Senators Day, Rees, Browne, Golden and Parkinson as such committee.

#### MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 19th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration, amended and passed Senate Concurrent Resolution No. 5, by Cunningham; also House Bill No. 79, by Wyman, an act to amend section 4144 of the Revised Statutes of the State of Idaho to provide for a means for service upon foreign corporations and non-resident joint stock companies or associations; also House Bill No. 127, by Henry, an act to amend section 4491 of the Revised Statutes of Idaho concerning executions, which are herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Concurrent Resolution No. 5, by Cunningham, filed for first reading.

House Bill No. 127, by Henry, filed for first reading.

House Bill No. 79, by Wyman, filed for first reading.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 57, by Rounds; Senate Bill No. 65, by Cunningham; Senate Bill No. 60, by Browne; Senate Bill No. 24, by Parkinson, and Substitute for Senate Bill No. 51, by Dewey, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 57 filed for third reading.

Senate Bill No. 65 filed for third reading tomorrow.

Senate Bill No. 60 filed for third reading.

Senate Bill No. 24 filed for third reading.

Substitute for Senate Bill No. 51 filed for third reading.

#### THIRD READING OF BILLS.

Substitute for Senate Bill No. 51—By Dewey.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Myer, Parkinson Rounds, Smith, Steen, Watt—14.

Voting no—Senator Miller.

Absent—Senators Rees, Robertson, President *pro tem.* Bierbower.

Title read and approved and bill transmitted to the House.

Senate Bill No. 60—By Browne.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Robertson, Rounds, Smith, Steen, Watt—16.

Absent—Senators Rees, and President *pro tem.* Bierbower.

Title read and approved and bill transmitted to the House.

Senate Bill No. 24—By Parkinson.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt—17.

Absent—President *pro tem.* Bierbower.

Title read and approved and bill transmitted to the House.

Senate Bill No. 57—By Rounds.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Steen, Watt—16.

Absent—Senator Smith and President *pro tem.* Bierbower.

Title read and approved and bill transmitted to the House.

Senate Bill No. 43.

Senator Dewey moved that Senate Bill No. 43 be made a special order for 10:30 o'clock tomorrow morning.

Motion lost.

House Bill No. 3.

Senator Browne moved that House Bill No. 3 be made a special order for February 27th at 2:30 p. m.

Motion prevailed.

On motion of Senator Watt the Senate resolved itself into the committee of the whole, with Senator Watt in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 19th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 43, and recom-

mend that it retain its place on the calendar; Senate Bill No. 7, and recommend that it be recommitted to the finance committee to perfect the title; Senate Bill No. 39, and recommend that it pass.

WATT, Chairman.

On motion of Senator Watt the report of the committee of the whole was adopted.

Senate Bill No. 7 recommitted to the finance committee.

Senate Bill No. 39 filed for second reading.

Senate Bill No. 43 retain its place on calendar.

On motion of Senator Rounds the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

### WEDNESDAY—THIRTY-EIGHTH DAY.

SENATE CHAMBER,

BOISE CITY, February 20th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Day, Parkinson and Robertson.

Prayer by the chaplain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

None.

#### REPORTS OF STANDING COMMITTEES.

Committee on State affairs made the following report:

BOISE CITY, February 20th, 1895.

Mr. President: Your committee on State affairs respectfully report that they have had under consideration Senate Joint Memorial No. 5, and recommend that the same pass; House Bill No. 32, and report it back without recommendation.

ROUNDS, Chairman.

Senate Joint Memorial No. 5 placed on calendar.

House Bill No. 32 placed on calendar.

Committee on printing made the following report:

BOISE CITY, February 20th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 14, 53 and 56, and that the same have been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 14 returned to committee on highways, bridges and ferries.

Senate Bill No. 56 referred to committee on corporations.

Senate Bill No. 53 placed on calendar.

Committee on military and Indian affairs made the following report:

BOISE CITY, February 20th, 1895.

Gentlemen: Your committee on military and Indian affairs respectfully report that they have had under consideration Senate Bill No. 70, and recommend that the same be printed and that it pass.

SMITH, Chairman.

Senate Bill No. 70 referred to printing committee.

February 19th, 1895.

Mr. President: Your committee on military and Indian affairs have had under consideration a letter from the Secretary of War, requesting the presence of the Governor and staff at the dedication of the Chickamauga and Chattanooga National Military Parks, and respectfully report as follows:

While appreciating the honor of the request of the Secretary of War for the Governor and staff to be present at the dedication of the Chickamauga and Chattanooga National Park on the 19th and 20th September next, they do not deem it wise that any appropriation should be made for that purpose during these times of depression.

SMITH, Chairman.

Report of the committee ordered spread upon the journal.

Committee on judiciary made the following report:

BOISE CITY, February 19th, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration House Bill No. 17, by Hughes, and House Bill No. 72, by Johnson; Senate Bill No. 15, by Watt, and Senate Bill No. 10, by Bierbower, and submit the following report:

That House Bill No. 17, by Hughes, do pass.

That House Bill No. 72, by Johnson, recommend that it do pass with the following amendments:

That the proviso in section one, beginning at line 22 and ending in line 25, be stricken out, and in section 2, line 15, the word "fifty" to be made to read "twenty-five."

In section five, after the words "his attorney," insert the words "provided that he shall not in any criminal case receive more than one hundred and fifty dollars when the same is to be paid by the county."

That Senate Bill No. 15, by Watt, do not pass.

That Senate Bill No. 10, by Bierbower, be referred to the committee of the whole for their consideration.

BIERBOWER, Chairman.

House Bill No. 17 placed on calendar.

House Bill No. 72 placed on calendar.

Senate Bill No. 15 placed on calendar.

Senate Bill No. 10 placed on calendar.

BOISE CITY, IDAHO, February 19th, 1895.

Mr. President: The undersigned make a majority report on Senate Bill No. 71, by Dewey, an act concerning district attorneys, and recommend that the same do not pass.

BIERBOWER,

PARKINSON,

REES,

STEEN.

Majority of committee on judiciary.

BOISE CITY, February 19th, 1895.

Mr. President: The undersigned make a minority report on Senate Bill No. 71, by Dewey, being "An act concerning district attorneys," and recommend that it be amended by substituting the word "fifty" in the place of the words "one hundred" before the word "dollars" in line 7 of section 1 of said act and that said act so amended shall pass.

DEWEY,

Minority of committee on judiciary.

Senate Bill No. 71 placed on calendar.

## MOTIONS AND RESOLUTIONS.

Senate Concurrent Resolution No. 5.

Senator Cunningham moved to lay the resolution on the table.

Motion prevailed.

## INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 78—By Cunningham. An act relating to curbing and paving and constructing of sidewalks on the streets of incorporated cities.

Read a first time and referred to committee on corporations.

House Bill No. 127—By Henry. An act to amend section 4491 of the Revised Statutes of Idaho, concerning executions.

Read a first time and referred to committee on finance.

House Bill No. 79—By Wyman. An act to amend section 4144 of the Revised Statutes of the State of Idaho, to provide for a means of service upon foreign corporations and non-residents, joint stock companies or associations.

Read a first time and referred to committee on judiciary.

## SECOND READING OF BILLS.

Senate Bill No. 39—By Cunningham.

Read a second time, ordered engrossed and filed for third reading.

## THIRD READING OF BILLS.

Senate Bill No. 65—By Cunningham.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Golden, Hanrahan, Heitfeld, Myer, Rounds, Smith, President *pro tem.* Bierbower—10.

Voting no—Senator Watt.

Absent—Senators Boyce, Dewey, Miller, Parkinson, Rees, Robertson, Steen—7.

Title read and approved and bill transmitted to the House.

On motion of Senator Bierbower the Senate took a recess subject to the call of the chair.

## RECONVENED.

By unanimous consent the Senate returned to the fourth order of business.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 20th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 20, by Bierbower, and Senate Bill No. 18, By Watt, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency, the Governor, at 11 o'clock a. m., February 20th, 1895.

ROUNDS, Chairman.

The committee on education made the following report:

BOISE CITY, February 20th, 1895.

Mr. President: Your committee on education respectfully report that they have had under consideration Senate Bill No. 73, by Browne, and recommend that the same be ordered printed and that it pass; also Senate Bill No. 77, by Rounds, and recommend that the same be ordered printed and that it pass.

DAY, Chairman.

Senate Bill No. 73 referred to printing committee.

Senate Bill No. 77 referred to printing committee.

Committee on counties and county boundaries made the following report.

BOISE CITY, February 20th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No. 76, and recommend a substitute, and that said substitute be printed.

GEORGE C. PARKINSON, Chairman.

Senate Bill No. 76 referred to printing committee.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

The secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 54.

Necessary to choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Senator Dewey moved that the joint assembly proceed to ballot for United States Senator.

Motion seconded by Mr. Neill.

Mr. Thomas moved that the joint assembly do now dissolve.

Motion to dissolve prevailed.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Steen took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met at 2 o'clock p. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senator Golden.

On motion of Senator Dewey the Senate resolved itself into the committee of the whole, with Senator Cunningham in the Chair.

Committee arose to receive a message from the Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 20th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 18, by Watt,  
and Senate Bill No. 20, by Bierbower. Very respectfully yours,

W. J. McCONNELL, Governor.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, February 20th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 53, by Gamble, an act relating to mechanics' and laborers' liens; also House Bill No. 75, by Neill, an act to repeal sections 2180 and 2181 of the Revised Statutes; also House Bill No. 69, by McMillan, an act to provide for the issue of State bonds for the erection, support and maintenance of the State Reform school; also House Bill No. 57, by Davis, an act to amend section 7575 of the Revised Statutes; also House Bill No. 48, by Bennett, an act regulating the hours of labor of stationary engineers; also Substitute for House Bill No. 38, by Browne, an act to provide for the construction of a wagon road in the counties of Ada, Boise, Elmore and Alturas, which are herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

House Bills No. 53, 75, 69, 57, 48 and Substitute for House Bill No. 38, filed for first reading.

Committee of the whole resumed its sitting.

REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 20th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 43, and recommend that the same do pass as amended. CUNNINGHAM, Chairman.

Senator Dewey moved that the report of the committee of the whole be adopted and the amendments proposed be concurred in.

On a rising vote, seven Senators voted "aye," and seven Senators voted "no."

The President voted "no."

Motion lost.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

THURSDAY—THIRTY-NINTH DAY.

SENATE CHAMBER,

BOISE CITY, February 21st, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Golden and Robertson.

Prayer by the chaplain.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 21st, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 39, by Cunningham, and begs leave to report the same correctly engrossed. ROUNDS, Chairman.

Senate Bill No. 39 filed for third reading.

Committee on finance made the following report:

BOISE CITY, February 21st, 1895.

Mr. President: Your committee on finance respectfully report that they have had under consideration Senate Bill No. 7, have corrected its title and recommend that the same be placed on second reading.

BROWNE, Chairman.

Amendments to title of Senate Bill No. 7:

Amend title of substitute as follows: An act to amend sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act to provide for the issue and sale of municipal coupon bonds by incorporated cities and towns and to provide for the payment of the principal and interest thereof," approved February 24th, 1891.

Senate Bill No. 7 filed for second reading.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 20th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentleman: My investigation necessary to determine the best method of preserving historical data, has brought to my notice a law on our statutes making a continuous appropriation of the sum of \$250.00 to the trustees of the "Historical Society of Idaho Pioneers." This law will be found on page 18 of "The Special and Local Laws of Idaho." It was approved February 10th, 1881. The society referred to in the act was incorporated on the 10th day of February the same year, being as you will notice on the same day on which the bill was approved. Upon investigation I find that the society still claims an existence, having as its officers, E. A. Stevenson, president; Jonas W. Brown, secretary, and A. G. Redway, treasurer. They have drawn from the treasury of Idaho \$2,000. Although they have had no meeting of the society since 1887, the last sum, \$250.00, being drawn on January 7th, 1889. The society, it appears, employed as historians, C. C. Stevenson and W. A. Goulder, to whom they have paid respectively the sums of \$400.00 to the former and \$525.00 to the latter.

The law requires that a synopsis of the findings of the Historical Society of Idaho pioneers shall be reported to the legislative assembly; they have failed so to do; at least I can find no record of such a report and the officers to whom I have spoken know nothing of one being made. There is now remaining in the hands of the treasurer the belonging to this society, \$1,286.30. Admitting that the State should pay

all the expenses of collecting historical data, as represented by the sums paid Mr. Stevenson and Mr. Goulder, there would still be a balance due of \$1,075.00 to the State. I say "due to the State," because I hardly believe that the gentlemen who constitute the society would care to keep the money longer after retaining it already for nearly seven years. You should appoint a special committee of both houses to interview the officers of this society and ask them whether they are willing to turn over the historical data for which the State has paid, to some duly authorized officer of the State, or, in the absence of such an officer, the Secretary of State, until such time as provision is made for one, and to see if they will not return the money of which the State has been deprived and of which the society has had the use for nearly seven years.

I recommend that the law referred to be repealed.

Very respectfully yours, W. J. McCONNELL, Governor.

Message filed.

#### MESSAGE FROM THE HOUSE.

None.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 79—By Browne. An act to repeal sections 4 and 5 of an act to regulate corporations engaged in the business of guaranteeing or acting as security for the fidelity of persons in public and private office.

Read a first time and referred to committee on corporations.

Senate Bill No. 80—By Browne. An act to amend section 1 of an act creating the office of Boiler Inspector.

Read a first time and referred to the committee on State affairs.

House Bill No. 48—By Bennett. An act regulating the hours of labor of stationary engineers.

Read a first time and referred to the committee on immigration and labor.

House Bill No. 57—By Davis. An act to amend section 7575 of the Revised Statutes.

Read a first time and referred to judiciary committee.

House Bill No. 75—By Neill. An act to repeal sections 2180 and 2181 of the Revised Statutes.

Read a first time and referred to the committee on finance.

House Bill No. 53—By Gamble. An act relating to mechanics' and labors' liens.

Read a first time and referred to judiciary committee.

House Bill No. 69—By McMillan. An act to provide for the issue of State bonds for the erection, support and maintenance of the State Reform school.

Substitute for House Bill No. 38—By Browne. An act to provide for the construction of a wagon road in the counties of Ada, Boise, Elmore and Alturas.

Read a first time and referred to committee on State affairs.

#### SECOND READING OF BILLS.

Senate Bill No. 7.

Read a second time and on motion of Senator Cunningham, sec-

ended by Senator Browne, the amended title to Senate Bill No. 7 was adopted.

Senate Bill No. 7 ordered engrossed and filed for third reading.

#### THIRD READING OF BILLS.

Senate Bill No. 39—By Cunningham.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Hanrahan, Heitfeld, Miller, Myer, Rees, Rounds, Smith, Steen, Mr. President *pro tem.* Bierbower—14.

Absent—Senators Golden, Parkinson, Robertson and Watt—4.

Title read and approved and bill transmitted to the House.

On motion of Senator Cunningham the Senate resolved itself into the committee of the whole with Senator Rees in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 21st, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 68, by Rounds, and recommend it retain its place on the calendar; Senate Bill No. 45, and recommend it retain its place on the calendar.

JOHN E. REES, Chairman.

On motion of Senator Cunningham the report of the committee of the whole was adopted.

Senate Bill No. 68 was ordered to retain its place on the calendar.

Senate Bill No. 45 retain its place on the calendar.

On motion of Senator Steen the Senate took a recess subject to the call of the chair.

#### RECONVENED.

By unanimous consent the Senate returned to the ninth order of business.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 81—By Dewey. An act to provide for the construction of a free bridge across Snake river.

Read a first time and referred to the printing committee.

By unanimous consent the Senate returned to the fourth order of business.

#### REPORTS OF STANDING COMMITTEES.

BOISE CITY, February 21st, 1895.

Mr. President: Your committee on corporations respectfully report that they have had under consideration Senate Bill No. 78, by Cunningham, and recommend that the same be ordered printed.

ROBERTSON, Chairman.

Senate Bill No. 78 referred to the printing committee.

The hour of 12 o'clock noon having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Mr. Golden.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Parkinson announced that he had paired with Mr. Golden.

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Claggett received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

On motion of Mr. Henry the joint assembly dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Bierbower took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

All Senators present.

By unanimous consent the Senate returned to the fourth order of business.

Committee on rules made the following report.

#### SPECIAL RULE.

By the committee on rules.

Senate Bill No. 75 shall be considered in committee of the whole Saturday, February 23d, at 2 p. m.

The committee shall rise not later than 5:30, and the question shall then at once be taken in the Senate upon all pending amendments and the bill being read by title a second time, the question shall be taken at once upon its engrossment, upon which question not more than 30 minutes debate shall be had, 15 minutes to each side.

CUNNINGHAM,

BIERBOWER,

REES, Committee.

On motion of Senator Cunningham, seconded by Senator Bierbower, the special rule reported by the committee of rules was adopted.

Senate Bill No. 43.

Senator Dewey moved a suspension of the rules for the purpose of moving that Senate Bill No. 43 be recommitted to the committee of the whole.

Motion lost.

By unanimous consent the Senate returned to the ninth order of business.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 82—By Day, chairman. An act to abolish the counties of Alturas and Logan and to create the county of Blaine.

Read a first time and referred to printing committee.

Senate Bill No. 83—By Day, chairman. An act to create the county of Lincoln, to locate the county seat of said county and to apportion the indebtedness of Blaine county.

Read a first time and referred to committee on printing.

On motion of Senator Watt the President of the Senate appointed a committee of three to confer with a like committee appointed by the Speaker of the House to consider the matter of adjourning the legislature over tomorrow, tomorrow being a national holiday.

The President appointed Senators Watt, Bröwne and Golden as such committee.

REPORT OF COMMITTEE.

BOISE CITY, February 21st, 1895.

Mr. President: Your committee of three appointed to confer with a like number from the House as a conference committee respectfully report as follows:

In recognition of Friday, the 22d, being the birthday of the Father of our country and a national holiday, we recommend that the House and Senate, when they adjourn today, do adjourn till Saturday, the 23d, at 10 o'clock a. m.

G. D. GOLDEN, Chairman.

On motion of Senator Bierbower the report of the committee was adopted.

MESSAGES FROM THE HOUSE.

OFFICE OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 21st, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives have appointed Representatives Johnson, Thomas and Neill to confer with Senate committee in regard to adjourning over tomorrow. Respectfully, JAMES H. GWINN, Chief Clerk.

Message filed.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 21st, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 13, by Smith, an act to better define the boundaries of the county of Washington; also Senate Bill No. 21, By Robertson, an act to amend section 4912, and to repeal section 4913, and laid upon the table; also Senate Bill No. 12, an act to amend an act relating to the powers and duties of the board of county commissioners over highways, amended and passed as so amended; also passed House Joint Memorial No. 5, by Walker, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

Senate Bill No. 13 referred to committee on enrollment.

Senate Bill No. 12 referred to committee on enrollment.

Senate Bill No. 21 referred to committee on enrollment.

House Joint Memorial No. 5 read a first time and referred to committee on privileges and elections.

On motion of Senator Bierbower the Senate resolved itself into a committee of the whole, with Senator Bierbower in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 21st, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 68, and recommend do pass as amended; also Senate Bill No. 45, and recommend the same do pass; also Senate Bill No. 61, and recommend that it do pass.

BIERBOWER, Chairman.

Senator Rounds moved that the report of the committee of the whole as to Senate Bill No. 68 be adopted.

Motion prevailed.

Senator Browne gave notice that he would on Saturday, move to reconsider the vote by which the report of the committee of the whole as to Senate Bill No. 68 was adopted.

Senate Bill No. 45.

Senator Cunningham moved to lay the report of the committee of the whole as to Senate Bill No. 45 on the table.

Roll call requested and motion lost by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Golden, Hanrahan, Miller, Parkinson, Robertson—8.

Voting no—Senators Boyce, Dewey, Heitfeld, Myer, Rees, Rounds, Smith, Steen, Watt and President *pro tem.* Bierbower.—10.

Senator Boyce moved that the report of the committee of the whole as to Senate Bill No. 45 be adopted.

Roll call requested.

Motion prevailed by the following vote:

Voting aye—Senators Boyce, Dewey, Heitfeld, Myer, Rees, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—10.

Voting no—Senators Browne, Cunningham, Day, Golden, Hanrahan, Miller, Parkinson, Robertson—8.

Senate Bill No. 45 filed for second reading.

Senate Bill No. 61.

On motion of Senator Browne the report of the committee of the whole as to Senate Bill No. 61 was adopted.

Senate Bill No. 61, filed for second reading.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock Saturday morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

SATURDAY—FORTIETH DAY.

SENATE CHAMBER,

BOISE CITY, February 23d, 1895.

Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

Roll called.

All present except Senators Browne, Heitfeld, Robertson, Smith.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

## REPORTS OF STANDING COMMITTEES.

February 23d, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 7, Substitute by Browne, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 7, Substitute, filed for third reading.

BOISE CITY, February 23d, 1895.

Mr. President: Committee on printing respectfully report that it has had under consideration Senate Bills No. 34, 62, 75, 81, 83, 78, 77, 73, 70, 82, 76, and amendments to Senate Bills No. 65 and 75 and Senate Joint Resolution No. 10 and report the same correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 34 referred to committee on agriculture and live stock.

Senate Bill No. 62 referred to committee on finance.

Senate Bill No. 75 placed on calendar.

Senate Bill No. 81 referred to committee on finance.

Senate Bill No. 83 referred to special committee appointed to adjust the differences between Alturas and Logan counties.

Senate Bill No. 73 referred to committee on corporations.

Senate Bill No. 77 placed on calendar.

Senate Bill No. 73 placed on calendar.

Senate Bill No. 70 referred to committee on military and Indian affairs.

Senate Bill No. 82 referred to special committee appointed to adjust the differences between Alturas and Logan counties.

Senate Bill No. 76 referred to committee on counties and county boundaries.

Senate Joint Resolution No. 10 referred to committee on privileges and elections.

## MOTIONS AND RESOLUTIONS.

Senate Bill No. 43.

Senator Dewey moved that Senate Bill No. 43 be recommitted to the committee of the whole for consideration.

Roll call requested.

Roll called and motion lost by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Hanrahan, Steen, Watt, Mr. President *pro tem*. Bierbower—7.

Voting no—Senators Boyce, Day, Golden, Miller, Myer, Parkinson, Rees, Rounds—8.

Absent—Senators Heitfeld, Robertson and Smith.

Senator Myer moved that Senate Bill No. 43 be indefinitely postponed.

Roll call requested.

Roll called and the bill was indefinitely postponed by the following vote:

Voting aye—Senators Boyce, Day, Golden, Miller, Myer, Parkinson, Rees, Rounds—8.

Voting no—Senators Browne, Cunningham, Dewey, Hanrahan, Steen, Watt, President *pro tem*.—7.

Absent—Senators Heitfeld, Robertson, Smith.

The President announced that he was about to sign Senate Bill No. 13, by Smith.

No. 68, pursuant to notice given on Thursday, the 21st inst., Senator Browne moved to reconsider the vote by which the report of the committee of the whole as to Senate Bill No. 68 was adopted.

There being no second to the motion the question was not stated.

By unanimous consent the Senate returned to the fifth order of business.

#### REPORTS OF SPECIAL COMMITTEES.

BOISE CITY, February 23d, 1895.

Mr. President: Your special committee respectfully report that they have had under consideration differences between Logan and Alturas counties and recommend that Senate Bill No. 31 do pass, and that Senate Bill No. 83 do pass, and Senate Bill No. 82 be indefinitely postponed.

DAY, Chairman.

Senate Bill No. 82 referred to the committee of the whole.

Senate Bill No. 83 referred to the committee of the whole.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 84—By Boyce. An act to amend section 1825 and 3885 of the Revised Statutes of Idaho.

Read a first time and referred to judiciary committee.

Senate Bill No. 85—By Dewey. An act to amend sections 8009, 8012, 8013, 8015, 8016, 8017, 8018, 8019, 8020, 8021 and 8022 of the Revised Statutes and to provide for a death penalty.

Read a first time and referred to committee on State affairs.

Senate Bill No. 86—By Parkinson. An act providing the manner in which claims against the State may be presented and heard in the supreme court.

Read a first time and referred to the judiciary committee.

Senate Bill No. 87—By Joint Irrigation Committee, Cunningham, chairman. An act providing for a uniform system of measures for the appropriation and distribution of water.

Read a first time and referred to printing committee, and when printed, ordered placed on calendar.

Senate Bill No. 88—By Parkinson. An act regulating the fees and compensation of the various county officers.

Read a first time and referred to committee on finance.

#### SECOND READING OF BILLS.

House Joint Memorial No. 5—By Walker.

Read a second time and referred to committee on privileges and elections.

Senate Bill No. 12—By Myer.

Read a second time. House amendments concurred in and bill referred to the committee on enrollment.

House amendments to Senate Bill No. 12:

In section 1, line 19, strike out word "three" and insert in lieu thereof the words "not less than two nor more than three."

Senate Bill No. 68—By Rounds.

Read a second time and referred to the committee on engrossed and enrolled bills for engrossment.

Amendments to Senate Bill No. 68:

Section 2. An emergency existing, this act shall take effect on and after its passage.

Senate Bill No. 45—By Watt.

Read a second time, and on motion of Senator Dewey, was recommitted to the committee on highways, bridges and ferries.

THIRD READING OF BILLS.

Substitute for Senate Bill No. 7—By Browne.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Rees, Steen and Watt—12.

Absent—Senators Heitfeld, Parkinson, Robertson, Rounds, Smith, President *pro tem*. Bierbower—6.

Title read and approved and bill transmitted to the House.

On motion of Senator Watt the Senate resolved itself into the committee of the whole for the consideration of Senate Bills No. 31 and 83, and House Bill 68.

Senator Browne in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 23d, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 82, and recommend it be indefinitely postponed; also Senate Bill No. 31, by Watt, and recommend it do pass; Senate Bill No. 83, and recommend that it do pass; House Bill No. 68, by Walker, and recommend do pass.

BROWNE, Chairman.

On motion of Senator Browne the report of the committee of the whole was adopted, and—

Senate Bill 82 indefinitely postponed.

Senate Bill 31 filed for second reading.

Senate Bill 83 filed for second reading.

House Bill 68 filed for second reading.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Mr. Heitfeld.

Clerk of the House called the roll of the House.

All present except Mr. Thomas.

That portion of the journal of Thursday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 52.

Necessary to choice, 27.

Mr. Sweet received 18 votes.

Mr. Shoup received 20 votes.

Mr. Claggett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker and Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman and Watt—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

Mr. Henry moved that the joint assembly do now dissolve.

Motion prevailed.

#### RECONVENED.

The Senate reconvened in the Senate chamber, and on motion of Senator Browne, took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

Senate met at 2 o'clock p. m. pursuant to adjournment.

With President Mills presiding.

Roll called.

All present except Senator Heitfeld.

Quorum present.

Pursuant to the special rule adopted on Thursday, the 21st inst., the Senate went into the committee of the whole for the consideration of Senate Bill No. 75, that having been made a special order for this day and hour.

#### REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 23d, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 75, and recommend that the same do pass as amended. BOYCE, Chairman.

On motion of Senator Cunningham the report of the committee of the whole was adopted and Senate Bill No. 75 read a second time by title, ordered engrossed and filed for third reading.

By unanimous consent the Senate returned to the ninth order of business.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 88—By Parkinson. An act regulating the fees and compensation of the various county officers.

Read a first time and referred to committee on finance.

By unanimous consent the Senate returned to the tenth order of business.

#### SECOND READING OF BILLS.

Senate Bill No. 31.

On motion of Senator Watt, seconded by Senator Myer, section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 31 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of rules was as follows:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Robertson, Rounds, Watt—12.

Voting no—Senators Boyce, Rees, Smith, Mr. President *pro tem.* Bierbower—4.

Absent—Senators Heitfeld and Steen.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Robertson, Watt—11.

Voting no—Senators Boyce, Rees, Rounds, Smith, President *pro tem.* Bierbower—5.

Absent—Senators Heitfeld and Steen.

Title read and approved and bill transmitted to the House.

Amendments to Senate Bill No. 83:

Add to the title of the bill the following: "To attach said county to the fourth judicial district and to attach said county to the ninth senatorial district."

In section 1, after the word "beginning," add the following: "Said county of Lincoln shall form a part of the fourth judicial district and the terms of court shall be held therein as provided by law in regard to other counties. Said Lincoln county shall form a part of the ninth senatorial district."

Senate Bill No. 83—By Day, chairman.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended, and Senate Bill No. 83 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Miller, Myer, Parkinson, Robertson, Rounds—11.

Voting no—Senators Boyce, Rees, Smith, Watt and President *pro tem.* Bierbower—5.

Absent—Senators Heitfeld and Steen.

#### ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Robertson, Watt—11.

Absent—Senator Heitfeld.

Voting no—Senators Boyce, Rees, Rounds, Smith, Steen, President *pro tem.* Bierbower—6.

Title read and approved and bill transmitted to the House.

House Bill No. 68.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 68 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt and President *pro tem.* Bierbower—16.

Voting no—Senator Boyce.

Absent—Senator Heitfeld.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote.

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Milier, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Boyce and Heitfeld.

Title read and approved and bill transmitted to the House.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 23d, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 47, by Rowton, entitled an act supplementary to an act entitled "An act to provide for the internal improvement of the State by the construction of a system of wagon roads," etc.; also House Bill No. 49, McCarthy, an act to provide for the establishment, location, maintenance and support of a scientific school for the State of Idaho; also Senate Joint Resolution No. 7, by Browne, which is indefinitely postponed, which are herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 47 filed for first reading.

House Bill No. 49 filed for first reading.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 23d, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 13, by Smith, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 11:55 o'clock a. m. February 23d, 1895.

ROUNDS, Chairman.

Report ordered spread upon the journal.

BOISE CITY, February 23d, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 68, by Rounds, and Senate Bill No. 61, by Browne, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 68 filed for third reading.

Senate Bill No. 61 filed for third reading.

Committee on finance made the following report:

BOISE CITY, February 23d, 1895.

Mr. President: Your committee on finance respectfully report that they have had under consideration Senate Bill No. 88, and recommend that the same be printed.

BROWNE, Chairman.

Senate Bill No. 88 referred to committee on printing.

Committee on military and Indian affairs made the following report:

BOISE CITY, February 23d, 1895.

Mr. President: Your committee on military and Indian affairs has had under consideration Senate Bill No. 70, and respectfully recommend that it be referred to the committee of the whole.

SMITH, Chairman.

Senate Bill No. 70 placed on calendar.

Senator Dewey moved the suspension of Senate rule 19 for the purpose of authorizing the chair to appoint two additional members to the committee on mines and mining.

Roll called and rule 19 suspended by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt and President *pro tem.* Bierbower—16.

Absent—Senator Heitfeld.

Senator Myer excused.

The chair appointed Senators Cunningham and Watt as additional members of the committee on mines and mining.

On motion of Senator Dewey the Senate adjourned until 10 o'clock Monday morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

### MONDAY—FORTY-FIRST DAY.

SENATE CHAMBER,

BOISE CITY, February 25th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Boyce, Browne and Heitfeld.

Quorum present.

Prayer by the chaplain.

Journal of Saturday read and approved.

#### PETITIONS AND MEMORIALS.

None.

The President announced that he was about to sign—  
Senate Bill No. 12.

#### REPORTS OF STANDING COMMITTEES.

Committee on mines and mining made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on mines and mining respectfully report that they have had under consideration House Bill No. 2, by Wynman, and recommend that the same do pass as amended.

MYER,

WATT,

CUNNINGHAM,

DEWEY, Chairman.

House Bill No. 2 placed on calendar.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 75, by the Joint Irrigation Committee, Cunningham, chairman, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 75 filed for third reading.

Committee on finance made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on finance respectfully reports that it has had under consideration House Bill No. 75, and recommends that the same do not pass; Senate Bill No. 60, and recommends that the same be printed and referred to the judiciary committee; House Bill No. 127, and recommend that it be referred to judiciary committee.

BROWNE, Chairman.

House Bill No. 75 placed on calendar.

Senate Bill No. 60 referred to printing committee.

House Bill No. 127 referred to judiciary committee.

Committee on highways, bridges and ferries made the following report:

Mr. President: Your committee on highways respectfully report that they have had under consideration Senate Bill No. 48, by Watt, and recommend that section 1 be amended to read as follows: On lines 1 and 2, the words "twelve thousand two hundred and forty-five dollars" be stricken out and that "four thousand five hundred and seventy dollars" be inserted in lieu thereof, and recommend the same do pass.

MYER, Chairman.

Senate Bill No. 45 placed on calendar.

#### MOTIONS AND RESOLUTIONS.

None.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 25th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I signed, on the 23d of February, Senate Bill No. 13, by Smith. Very respectfully yours, W. J. McCONNELL, Governor.

#### FIRST READING OF BILLS.

House Bill No. 47—By Rowton. An act supplementary to an act entitled an act to provide for the internal improvements of the State by the construction of a system of wagon roads in the counties of Boise, Custer, Lemhi, Idaho, Shoshone, Kootenai, Latah and Nez Perce.

Read a first time and referred to committee on highways, bridges and ferries.

House Bill No. 49—By Committee on Mines and Mining, McCarthy, chairman. An act to provide for the establishment, location and maintenance of a scientific school.

Read a first time and referred to committee on education.

#### SECOND READING OF BILLS.

None.

#### THIRD READING OF BILLS.

Senate Bill No. 68—By Rounds.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Steen, Watt, President *pro tem*. Bierbower—14.

Absent—Senators Boyce, Browne, Heitfeld, Smith—4.

Title read and approved and bill transmitted to the House.

Senate Bill No. 61—By Browne.

Read for a third time and placed upon its final passage.

The President stated: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Day, Golden, Hanrahan, Miller, Myer, Rees, Robertson, Steen, Watt and President *pro tem.* Bierbower—11.

Absent—Senators Browne, Dewey, Heitfeld, Parkinson, Rounds, Smith—6.

Excused from voting—Senator Boyce.

Title read and approved and bill transmitted to the House.

Senate Bill No. 75—By Joint Irrigation Committee, Cunningham, chairman,

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Boyce, Browne, Heitfeld, Steen—4.

Title read and approved and bill transmitted to the House.

On motion of Senator Cunningham the Senate resolved itself into the committee of the whole with Senator Rees in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 25th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 64, and recommend it be indefinitely postponed; Senate Bill No. 15, and recommend it be indefinitely postponed; House Bill No. 94, by McMillan, and recommend it be indefinitely postponed; also Senate Bill No. 71, and recommend it be indefinitely postponed; also Senate Bills No. 14 and 53, and recommend they retain their place on the calendar.

JOHN E. REES, Chairman.

On motion of Senator Rees the report of the committee of the whole was adopted, and—

Senate Bill No. 64 indefinitely postponed.

Senate Bill No. 15 indefinitely postponed.

House Bill No. 94 indefinitely postponed.

Senate Bill No. 71 indefinitely postponed.

Senate Bill No. 14 ordered to retain its place on the calendar.

Senate Bill No. 53 ordered to retain its place on the calendar.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Heitfeld.

Clerk of the House called the roll of the House.

All present except Mr. Thomas.

That portion of the journal of Saturday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Baxter announced that he had paired with Mr. Thomas.

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

Mr. Dewey moved to ballot for a United States Senator.

Motion lost.

Mr. Walker moved that the joint assembly do now dissolve.

Motion prevailed.

#### RECONVENED.

The Senate reconvened and on motion of Senator Dewey the Senate took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met at 2 o'clock p. m. pursuant to adjournment.

President Mills presiding.

All Senators present except Senator Heitfeld.

There being no objection the Senate went into the committee of the whole with Senator Rees in the chair.

The committee arose to receive a message from the House and message from the Governor.

#### MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 25th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and indefinitely postponed Senate Bill No. 21, by Robertson, an act to amend section 4912 and to repeal section 4913 of the Revised Statutes of Idaho concerning costs; also Senate Bill No. 27, an act to regulate the practice of dentistry in the State of Idaho; also has had under consideration and passed Senate Bill No. 51, an act to amend section 1640 of the Revised Statutes, etc., and Senate Bill No. 46, an act to amend section 1 of an act entitled, an act to create and organize the county of Custer, approved January 8th, 1881, etc., which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bill No. 21 indefinitely postponed.

Senate Bill No. 27 indefinitely postponed.

Senate Bill No. 51 referred to committee on enrollment.

Senate Bill No. 46 referred to committee on enrollment.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, February 25th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 12, by Myer.

Very respectfully yours,

W. J. McCONNELL, Governor.

The committee of the whole resumed its sitting.

## REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 25th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 10, and recommend that it retain its place on the calendar; Senate Joint Memorial No. 5, and recommend it do pass; Senate Bill No. 73, and recommend do pass; Senate Bill No. 70, and report progress and that it retain its place on the calendar

JOHN E. REES, Chairman.

On motion of Senator Rees the report of the committee of the whole was adopted, and—

Senate Bill No. 10 ordered to retain its place on the calendar.

Senate Bill No. 70 ordered to retain its place on the calendar.

Senate Bill No. 73 filed for second reading.

Senate Joint Memorial No. 5 filed for second reading.

Senate Joint Memorial No. 5—By Browne.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Joint Memorial No. 5 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Heitfeld, Rees, Robertson, Steen—4.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote.

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Hanrahan, Miller, Myer, Parkinson, Rounds, Smith, Watt, President *pro tem.* Bierbower—13.

Absent—Senators Golden, Heitfeld, Rees, Robertson, Steen—5.

Title read and approved and the memorial transmitted to the House.

Senate Bill No. 73—By Browne.

On motion of Senator Browne section 15, article 3, of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 73 read a second time by title, a third time at length, and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Hanrahan, Miller, Myer, Parkinson, Rounds, Smith, Watt and President *pro tem.* Bierbower—13.

Absent—Senators Golden, Heitfeld, Rees, Robertson, Steen.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Hanrahan, Miller, Myer, Parkinson, Rounds, Smith, Watt, President *pro tem.* Bierbower--13

Absent—Senators Golden, Heitfeld, Rees, Robertson, Steen—5.

Title read and approved and bill transmitted to the House.

By unanimous consent the Senate returned to the fourth order of business.

REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 12, by Myer, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the governor at 11:20 o'clock a. m. February 25th, 1895.

ROUNDS, Chairman.

Committee on highways, bridges and ferries made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on highways, bridges and ferries has had under consideration Senate Bill No. 81, and recommend that it be referred to the committee on finance; Senate Bill No. 25, and recommend that the Substitute for the Substitute be printed. MYER, Chairman.

Senate Bill No. 81 referred to committee on finance.

Senate Bill No. 25 referred to printing committee.

Committee on privileges and elections made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on privileges and elections respectfully reports that it has had under consideration Senate Joint Memorial No. 10 and recommend that it pass. PARKINSON, Chairman.

Senate Joint Memorial No. 10 placed on calendar.

Committee on counties and county boundaries made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on counties and county boundaries has had under consideration Senate Bill No. 67, and report the same without recommendation. PARKINSON, Chairman.

Senate Bill No. 67 placed on calendar.

The committee on education made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on education respectfully report that it has had under consideration Senate Bill No. 69 and Senate Bill No. 49, and recommend that the same be referred to the committee on finance. DAY, Chairman.

Senate Bills No. 49 and 69 referred to finance committee.

On motion of Senator Browne the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## TUESDAY—FORTY-SECOND DAY.

SENATE CHAMBER,

BOISE CITY, February 26th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Browne and Heitfeld.

Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

None.

The President announced that he was about to sign Senate Bill No. 46.

## REPORTS OF STANDING COMMITTEES.

Committee on printing made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bills No. 87 and 88, and that the same have been correctly printed. G. D. GOLDEN, Chairman.

Senate Bill No. 88 referred to finance committee.

Senate Bill No. 87 placed on calendar.

Committee on counties and county boundaries made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that it has had under consideration Senate Bill No. 76, and recommend that the same do pass. PARKINSON, Chairman.

Senate Bill No. 76 placed on calendar.

Committee on corporations made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on corporations respectfully reports that it has had under consideration Senate Bill No. 78, and recommend that the same pass.

ROBERTSON, Chairman.

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on corporations respectfully reports that it has had under consideration Senate Bill No. 56, and reports the same without recommendation. ROBERTSON, Chairman.

Senate Bill No. 78 placed on calendar.

Senate Bill No. 56 placed on calendar.

Committee on immigration and labor made the following report:

BOISE CITY, February 25th, 1895.

Mr. President: Your committee on immigration and labor has had under consideration House Bill No. 48 and respectfully recommend that it do not pass. WATT, Chairman.

House Bill No. 48 placed on calendar.

BOISE CITY, February 26th, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 85, by Dewey, and begs leave to recommend that it be introduced in the House. ROUNDS, Chairman.

BOISE CITY, February 26th, 1895.

Mr. President: Your committee on State affairs has had under con-

sideration House Bill No. 38, and reports the same back without recommendation. ROUNDS, Chairman.

House Bill No. 38 placed on calendar.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 89—By Robertson. An act to regulate and define the duties of insurance companies.

Read a first time and referred to committee on corporations.

Senate Bill No. 90—By Dewey. An act to create the office of sheep inspector.

Read a first time and referred to committee on agriculture and live stock.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 26th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 110, an act for the relief of J. M. Wells, which is herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 110 filed for first reading.

On motion of Senator Robertson the Senate took a recess subject to the call of the chair.

RECONVENED.

The President announced that he was about to sign Substitute Senate Bill No. 51, by Dewey.

By unanimous consent the Senate returned to the fourth order of business.

REPORTS OF STANDING COMMITTEES.

Committee on State affairs made the following report:

BOISE CITY, IDAHO, February 26th, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 85, by Dewey, and respectfully recommend that it be laid on the table. ROUNDS, Chairman.

Senate Bill No. 85, on motion of Senator Rounds, laid on the table.

Committee on finance made the following report:

BOISE CITY, February 26th, 1895.

Mr. President: Your committee on finance respectfully reports that it has had under consideration House Bill No. 69, and recommend that it pass; Senate Bill No. 81, and report favorably.

BROWNE, Chairman.

House Bill No. 69 placed on calendar.

Senate Bill No. 81 placed on calendar.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for United States Senator.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Heitfeld.

Clerk of the House called the roll of the House.

Messrs. Gamble and Thomas absent.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Total number of votes cast, 49.

Necessary to a choice, 25.

Mr. Sweet received 17 votes.

Mr. Shoup received 18 votes.

Mr. Clagett received 14 votes.

No choice.

Messrs. Thomas and Baxter, and Bennett and Gamble paired.

Those voting for Mr. Sweet were—Messrs. Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker, Young, N. H.—17.

Those voting for Mr. Shoup were—Messrs. Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Johnson, McMillan, Vance, Wyman, Watt—18.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

Mr. Wolters moved that the joint assembly do now dissolve.

Motion prevailed.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Browne took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 o'clock p. m.

President Mills presiding.

Roll called.

All present except Senators Browne, Heitfeld, Parkinson, Robertson, President *pro tem*. Bierbower.

Quorum present.

Senate Bill No. 87.

Senator Cunningham moved that Senate Bill No. 87 be made a special order for 10 o'clock tomorrow morning.

Motion prevailed.

On motion of Senator Dewey the Senate resolved itself into the committee of the whole for the purpose of considering House Bill No. 2 and the general calendar.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 26th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 2, by Wyman, and recommend that the amendments proposed by the committee on mines and mining be printed and that the bill as amended be made the special order for Thursday, February 28th, at 10:30 a. m.; Senate Bill No. 14, by Robertson, and recommend it be indefinitely postponed; Senate Bill No. 53, by Robertson, and recommend it retain its place on the calendar; Senate Bill No. 10, by Bierbower, and recommend it be indefinitely postponed; Senate Bill No. 70, by Browne, and recom-

mend it retain its place on the calendar; Senate Bill No. 77, by Rounds, and recommend do pass. ROUNDS, Chairman.

Senator Rounds moved that the report of the committee of the whole be adopted.

Senator Robertson asked for a roll call on the adoption of the report of the committee of the whole as to Senate Bill No. 14.

Roll called and the recommendation of the committee of the whole as to Senate Bill No. 14 was not concurred in by the following vote:

Voting aye—Senators Dewey, Golden, Miller, Rees, Watt—5.

Voting no—Senators Boyce, Cunningham, Day, Myer, Robertson, Rounds, Smith, Steen, President *pro tem.* Bierbower—9.

Absent—Senators Browne, Hanrahan, Heitfeld, Parkinson.

Senator Robertson moved that Senate Bill No. 14 be read a second time by title, ordered engrossed and passed for third reading.

Motion lost.

No objection being offered, President *pro tem.* ordered Senate Bill No. 14 placed on the calendar.

The report of the committee of the whole, except as to Senate Bill No. 14, was adopted, and—

Senate Bill No. 53 ordered to retain its place on the calendar.

Senate Bill No. 10 indefinitely postponed.

Senate Bill No. 70 retain its place on the calendar.

Senate Bill No. 77 filed for second reading.

Senate Bill No. 77.

On motion of Senator Rounds section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 77 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of rules was as follows:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Browne, Hanrahan, Heitfeld, Parkinson.

#### ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Browne, Hanrahan, Heitfeld, Parkinson.

Title read and approved and bill transmitted to the House.

#### MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 26th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 19, an act to make insurance companies liable for the full sum insured, etc.; also Senate Bill No. 42, an act to amend section 1401 of the Revised Statutes of Idaho; also has passed with amendments Senate Bill No. 33, an act to amend sections 4492, 4493 and 4494 of the Revised Statutes, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

Senate Bill No. 19 referred to committee on enrollment.

Senate Bill No. 42 referred to committee on enrollment.

Senate Bill No. 33 filed to come up under the order of business of first reading of bills.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 26th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 89, an act to amend section 2653 of the Revised Statutes of Idaho, etc., and House Bill No. 95, an act for the relief of Winters, Parsons and Boomer, etc., which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 89 filed for first reading.

House Bill No. 95 filed for first reading.

On motion of Senator Cunningham the Senate adjourned until 9:30 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

### WEDNESDAY—FORTY-THIRD DAY.

SENATE CHAMBER,

BOISE CITY, February 27th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President *pro tem.* Bierbower presiding.

Roll called.

All present except Senators Boyce, Day, Heitfeld, Parkinson, Rees, Robertson, Smith.

Prayer by chaplain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

None.

#### REPORTS OF STANDING COMMITTEES.

Committee on printing made the following report:

BOISE CITY, February 26th, 1895.

Mr. President: Your committee on printing respectfully reports that it has had under consideration the Substitute for Substitute to Senate Bill No. 25, and report the same correctly printed.

G. D. GOLDEN, Chairman.

Substitute for Substitute Senate Bill No. 25 placed on calendar.

#### MESSAGE FROM THE GOVERNOR.

None.

#### MESSAGE FROM THE HOUSE.

None.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

House Bill No. 110—By Crane. An act for the relief of J. M. Wells.

Read first time and made a special order for 2:30 o'clock tomorrow.

House Bill No. 95—By Vance. An act for the relief of Winters, Parsons and Boomer.

Read a first time and referred to committee on finance.

House Bill No. 89—By Crane. An act to amend section 2653 of the Revised Statutes of Idaho.

Read a first time and referred to committee on corporations.

Senate Bill No. 33—By Boyce.

On adoption of House amendments.

On motion of Senator Boyce the House amendments to Senate Bill No. 33 were concurred in and the bill referred to the committee on engrossed and enrolled bills.

The hour of 10 o'clock having arrived the Senate resolved itself into the committee of the whole for the consideration of Senate Bill No. 87.

Senator Day in the chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 27th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 87, and recommend that the same do pass. DAY, Chairman.

On motion of Senator Day the report of the committee of the whole was adopted.

Senate Bill No. 87

Read a second time, ordered engrossed and filed for third reading.

Senator Dewey moved that the Senate take a recess for ten minutes.

Motion prevailed.

#### RECONVENED.

On motion of Senator Dewey the Senate resolved itself into the committee of the whole for the consideration of Senate Bill No. 81.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 27th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 81, and recommend that the same do pass. BOYCE, Chairman.

On motion of Senator Dewey the report of the committee of the whole was adopted and Senate Bill No. 81 read a second time and ordered engrossed.

Senate Bill No. 81 referred to committee on engrossed and enrolled bills.

By unanimous consent the Senate returned to the fourth order of business.

#### REPORTS OF STANDING COMMITTEES.

BOISE CITY, February 27th, 1895.

Mr. President: Your committee on privileges and elections has had under consideration House Joint Memorial No. 5 and recommend that it do pass. PARKINSON, Chairman.

House Joint Memorial No. 5 placed on calendar.

Committee on agriculture and live stock made the following report:

BOISE CITY, February 27th, 1895.

Mr. President: Your committee on agriculture and live stock respectfully reports that it has had under consideration Senate Bill No. 34, by Heitfeld, and recommend that it do pass. SMITH, Chairman.

Senate Bill No. 34 placed on calendar.

On motion of Senator Dewey the Senate took a recess subject to the call of the chair.

## RECONVENED.

The Senate reconvened and the hour of 12 o'clock m. having arrived proceeded in a body to the House of Representatives to ballot for a United States Senator.

## JOINT SESSION.

Joint assembly called to order by President *pro tem.* Bierbower.

The secretary of the Senate called the roll of the Senate.

All present except Mr. Heitfeld.

Clerk of the House called the roll of the House:

All present except Mr. Thomas.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Baxter paired with Mr. Thomas.

Total number of votes cast, 51.

Necessary to a choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

Mr. Boyce moved to ballot for United States Senator.

Motion prevailed.

Roll called with the following result:

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

Messrs. Baxtar and Thomas paired.

Mr. Hughes moved to proceed to ballot for a United States Senator.

Mr. Henry moved to dissolve the joint assembly.

Motion to dissolve prevailed.

RECONVENED.

Senate met in the Senate chamber and on motion of Senator Myer took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President *pro tem*. Bierbower in the chair.

Roll called.

All Senators present except Senators Heitfeld, Parkinson, Robertson, Rounds, Steen, Watt.

Quorum present.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 27th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 58, an act to amend sections 2956 and 2960 of the Revised Statutes of Idaho, etc.; House Bill No. 146, an act regulating the payment of wages in the State of Idaho; House Bill No. 87, an act to remit penalties on delinquent taxes for the years 1893 and 1894 in certain cases; House Bill No. 96, an act amending section 355 of the Revised Statutes and House Bill No. 147, an act to amend section 4838 of the Revised Statutes; also passed with amendments Senate Joint Resolution No. 5, proposing an amendment to the Constitution providing for the election of a prosecuting attorney in each county, which are herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 58 filed for first reading.

House Bills No. 146, 87, 96, 147 filed for first reading

Senate Joint Resolution No. 5.

On motion of Senator Day the Senate concurred in the amendments made by the House to Senate Joint Resolution No. 5, and referred the resolution to the committee on engrossed and enrolled bills for enrollment.

The hour of 2:30 o'clock p. m. having arrived the Senate resolved itself into the committee of the whole for the consideration of House Bill No. 3.

Senator Parkinson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, February 27th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 3, by Henry, and recommend that the same do not pass. PARKINSON, Chairman.

Senator Parkinson moved that the report of the committee of the whole be adopted.

Senator Browne requested a roll call on the motion to adopt the report of the committee of the whole.

Roll called with the following result:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Voting no—Senator Robertson.

Absent—Senator Heitfeld.

Motion prevailed.

Senator Browne gave notice that he would on tomorrow move to reconsider the vote by which the report of the committee of the whole as to House Bill No. 3 was adopted.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 27th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 46, by Hanrahan, and Senate Bill No. 51, by Dewey, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 3 o'clock p. m., February 27th, 1895.

ROUNDS, Chairman.

Report ordered spread upon the journal.

Senator Cunningham moved that when the Senate adjourn it adjourn until 7 o'clock this evening.

Motion lost.

On motion of Senator Cunningham the Senate resolved itself into the committee of the whole with Senator Rounds in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 27th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 53, and recommend that the same be made a special order for Friday, March 1st, at 2:30 p. m.; Senate Bill No. 70, recommend it go over on the calendar without reference to place; Senate Bill No. 67, and recommend it retain its place on the calendar; Senate Joint Resolution No. 10, and recommend it do pass.

ROUNDS, Chairman.

On motion of Senator Rounds the report of the committee of the whole was adopted, and—

Senate Bill No. 53 made a special order for Friday, March 1st, at 2:30 o'clock p. m.

Senate Bill No. 70 go over on the calendar without reference to place.

Senate Bill No. 67 retain its place on the calendar.

Senate Joint Resolution No. 10 filed for second reading.

On motion of Senator Boyce the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### THURSDAY—FORTY-FOURTH DAY.

SENATE CHAMBER,

BOISE CITY, February 28th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

✓ All present except Senators Boyce, Hanrahan, Heitfeld, Steen.  
Quorum present.  
✓ Prayer by the chaplain.  
Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

None.

## REPORTS OF STANDING COMMITTEES.

Committee on printing made the following report.

BOISE CITY, February 28th, 1895.

✓ Mr. President: Your committee on printing respectfully report that they have had under consideration amendments to House Bill No. 2 and that the same has been correctly printed. G. D. GOLDEN, Chairman.

Amendments to House Bill No. 2 referred to the committee of the whole to be considered with House Bill No. 2.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, February 28th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 87, by the Joint Irrigation Committee, Cunningham, chairman, and Senate Bill No. 81, by Dewey, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 87 filed for third reading.

✓ Senate Bill No. 81 filed for third reading.

Committee on agriculture and live stock made the following report:

BOISE CITY, February 28th, 1895.

Mr. President: Your committee on agriculture and live stock has had under consideration Senate Bill No. 90, by Dewey, and recommend that the same be printed. SMITH, Chairman.

Senate Bill No. 90 referred to committee on printing.

## MOTIONS AND RESOLUTIONS.

Senator Browne asked unanimous consent to withdraw his notice of motion to reconsider the vote by which the report of the committee of the whole as to House Bill No. 3 was adopted.

There being no objection Senator Browne was permitted to withdraw his notice.

## INTRODUCTION AND FIRST READING OF BILLS.

House Bill No. 87—By Randolph. An act to remit penalties on delinquent taxes for the years 1893 and 1894 in certain cases.

Read a first time and referred to committee on finance.

House Bill No. 146—By J. D. Young. An act regulating the payment of wages in the State of Idaho.

Read a first time and referred to committee on immigration and labor.

House Bill No. 96—By Davis. An act amending section 355 of the Revised Statutes.

Read a first time and referred to committee on counties and county boundaries.

House Bill No. 147—By Wyman. An act to amend section 4838 of the Revised Statutes.

Read a first time and referred to the judiciary committee.

House Bill No. 58—By Judiciary Committee. An act to amend sections 2956 and 2960 of the Revised Statutes of Idaho, etc.

On motion of Senator Browne House Bill No. 58 was placed on the calendar and made a special order for 10:30 o'clock tomorrow.

SECOND READING OF BILLS.

Senate Joint Resolution No. 10.

Read a second time, ordered engrossed and filed for third reading.

THIRD READING OF BILLS.

Senate Bill No. 81—By Dewey.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Myer, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—11.

Voting no—Senator Rees.

Absent—Senators Boyce, Hanrahan, Heitfeld, Miller, Parkinson, Steen—6.

Title read and approved and bill transmitted to the House.

Senate Bill No. 87—By Joint Irrigation Committee.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Boyce, Hanrahan, Heitfeld, Steen.

Title read and approved and bill ordered transmitted to the House.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 28th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 129, an act to prevent unauthorized persons from wearing the badge of the Grand Army of the Republic of this State; House Bill No. 140, an act to amend section 1 of an act entitled an act to establish a Soldiers' Home, approved March 2d, 1893, and House Bill No. 148, an act to amend section 7 of an act entitled an act defining the powers and duties of State Board of Land Commissioners, etc., approved March 6th, 1893, which are herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bills No. 129, 140 and 148 filed for first reading.

The hour of 10:30 o'clock a. m. having arrived the Senate went into the committee of the whole for the consideration of House Bill No. 2, with Senator Golden in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 28th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 2, and recommend that the same do pass as amended.

GOLDEN, Chairman.

On motion of Senator Golden the report of the committee of the whole was adopted.

House Bill No. 2—By Wyman.

On motion of Senator Dewey section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 2 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Miller, Myer, Rees, Robertson, Smith, Watt, President *pro tem.* Bierbower—12.

Absent—Senators Browne, Hanrahan, Heitfeld, Parkinson, Rounds, Steen—6.

#### ON PASSAGE.

House Bill No. 2 read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Miller, Myer, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—13.

Absent—Senators Browne, Hanrahan, Heitfeld, Parkinson, Steen—5.

Title read and approved and bill transmitted to the House.

On motion of Senator Golden the Senate resolved itself into the committee of the whole for the consideration of House Bill No. 69.

Senator Dewey in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 28th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 69 and recommend it do pass.

E. H. DEWEY, Chairman.

On motion of Senator Dewey the report of the committee of the whole was adopted.

House Bill No. 69.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended, and House Bill No. 69 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Miller, Myer, Rees, Rounds, Watt, President *pro tem.* Bierbower—13.

Absent—Senators Hanrahan, Heitfeld, Parkinson, Robertson, Smith and Steen—5.

#### ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Miller, Myer, Rees, Rounds, Watt and President *pro tem.* Bierbower—12.

Absent—Senators Hanrahan, Heitfeld, Parkinson, Robertson, Smith, Steen—6.

Title read and approved and bill transmitted to the House.

House Bill No. 38.

On motion of Senator Watt, Substitute for House Bill No. 38 was placed at the head of the calendar.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States senator.

JOINT SESSION.

Joint assembly called to order by the President of the Senate.

Secretary of the Senate called the roll of the Senate.

All present except Messrs. Heitfeld and Hanrahan.

Clerk of the House called the roll of the House.

All present except Mr. Thomas.

That portion of the journal of yestersday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Mr. Baxter announced that he was paired with Mr. Thomas.

Total number of votes cast, 50.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 13 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker and Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman and Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—13.

Senator Golden moved that the joint assembly be now dissolved. Motion prevailed.

RECONVENED.

The Senate reconvened in the Senate chamber, and on motion of Senator Watt returned to the fourth order of business.

REPORTS OF STANDING COMMITTEES.

BOISE CITY, February 28th, 1895.

Mr. President: Your committee on immigration and labor has had under consideration House Bill No. 146, and recommend that the same do not pass.

WATT, Chairman.

House Bill No. 146 placed on calendar.

On motion of Senator Bierbower the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All Senators present except Browne, Hanrahan, Heitfeld, Robertson, Smith and Steen.

House Bill No. 3.

On motion of Senator Bierbower House Bill No. 3 was indefinitely postponed.

Senate Bill No. 70.

On motion of Senator Browne Senate Bill No. 70 was laid on the table.

On motion of Senator Cunningham the Senate resolved itself into the committee of the whole for the consideration of Senate Bill No. 78.

Senator Parkinson in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 28th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 78, and recommend that the same do pass.

PARKINSON, Chairman.

On motion of Senator Parkinson the report of the committee of the whole was adopted.

Senate Bill No. 78—By Cunningham.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 78 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Browne, Hanrahan, Heitfeld, Steen—4.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Day, Dewey, Golden, Hanrahan, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—13.

Voting no—Senator Miller—1.

Absent—Senators Boyce, Browne, Heitfeld, Steen—4.

Title read and approved and the bill transmitted to the House.

The hour of 2:30 o'clock p. m. having arrived the Senate went into the committee of the whole for the consideration of House Bill No. 110, that having been made a special order for this day and hour.

Senator Watt in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 28th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill 110 and recommend that the same do pass.

W. H. WATT, Chairman.

On motion of Senator Watt the report of the committee of the whole was adopted.

House Bill No. 110—By Crane.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 110 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Cunningham, Day, Dewey, Golden, Hanrahan, Myer, Parkinson, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—12.

Absent—Senators Boyce, Browne, Heitfeld, Rees, Steen—5.

Voting no—Senator Miller.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Day, Dewey, Golden, Hanrahan, Myer, Parkinson, Rounds, Watt, President *pro tem.* Bierbower—10.

Voting no—Senator Miller—1.

Absent—Senators Boyce, Browne, Heitfeld, Rees, Robertson, Smith, Steen—7.

Title read and approved and bill transmitted to the House.

On motion of Senator Watt the Senate resolved itself into the committee of the whole.

Senator Day in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 28th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Substitute for House Bill 38, and recommend that the same do pass. DAY, Chairman.

On motion of Senator Cunningham the report of the committee of the whole was adopted.

House Bill No. 38.

On motion of Senator Watt section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 38 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Cunningham, Day, Dewey, Hanrahan, Miller, Rees, Robertson, Rounds, Smith, Steen, Watt—11.

Voting no—Senators Boyce, Golden, Myer, Parkinson—4.

Absent—Senators Browne, Heitfeld, President *pro tem.* Bierbower—3.

ON PASSAGE.

House Bill No. 38.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Day, Dewey, Hanrahan, Miller, Rees, Robertson, Rounds, Smith, Steen, Watt—11.

Voting no—Senators Boyce, Golden, Myer, Parkinson—4.

Absent—Senators Browne, Heitfeld, President *pro tem.* Bierbower—3.

Title read and approved and bill transmitted to the House.

Senator Dewey moved that when the Senate adjourned this afternoon that it adjourn until 7 o'clock this evening.

Motion prevailed.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, February 28th, 1895.

Mr. President: I am instructed to inform your honorable body

that the House of Representatives has had under consideration and passed House Bill No. 35, by Clark, an act for the apportionment of the legislature, which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 35 filed for first reading.

On motion of Senator Parkinson the Senate returned to the fourth order of business.

FIRST READING OF BILLS.

House Bill No. 35—By Clark. An act for the apportionment of the legislature.

Read a first time and referred to the committee on privileges and elections.

House Bill No. 129—By Neill. An act to prevent unauthorized persons from using or wearing the badge of the Grand Army of the Republic of this State.

Read a first time and referred to the committee on military and Indian affairs.

House Bill No. 140—By Fletcher. An act to amend section 1 of an act entitled an act to establish a Soldiers' Home, approved March 2d, 1893.

Read a first time and referred to the committee on military and Indian affairs.

House Bill No. 148—By Committee on Public Lands. An act to amend section 7 of an act defining the powers and duties of State Board of Land Commissioners, etc., approved March 6th, 1893.

Read a first time and referred to the committee on public lands.

On motion of Senator Boyce the Senate resolved itself into the committee of the whole with Senator Rees in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, February 28th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 67, and recommend that it retain its place on the calendar; Senate Bill No. 45, and recommend that the same do not pass; Senate Bill No. 76, and recommend it retain its place on the calendar. REES, Chairman.

Senator Watt asked for a separate vote on the adoption of the report of the committee of the whole as to Senate Bill No. 45.

On motion of Senator Rees the report of the committee of the whole was adopted except as to Senate Bill No. 45.

On motion of Senator Rees the report of the committee of the whole as to Senate Bill No. 45 was adopted.

Senator Watt voting affirmatively.

Senator Watt gave notice that he would on tomorrow move to reconsider the vote by which the report of the committee of the whole as to Senate Bill No. 45 was adopted.

Senator Boyce moved to reconsider the vote by which the Senate agreed that when it adjourn this afternoon it adjourn until 7 o'clock this evening.

Motion to reconsider prevailed.

Senator Bierbower moved that the Senate do now adjourn until 10 o'clock tomorrow morning.

Motion prevailed.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

## FRIDAY—FORTY-FIFTH DAY.

SENATE CHAMBER,  
BOISE CITY, March 1st, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Heitfeld, Robertson, Smith, Watt.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

None.

The President announced that he was about to sign—

Senate Bill No. 42, by Boyce.

Senate Bill No. 19, by Watt.

Senate Joint Resolution No. 5, by Day.

Senate Bill No. 33, by Boyce.

House Bill No. 68, by Smith.

House Bill No. 110, by Crane.

## REPORTS OF STANDING COMMITTEES.

Committee on printing made the following report:

BOISE CITY, March 1st, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bill No. 90, and that the same has been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 90 referred to the committee on agriculture and live stock.

Committee on privileges and elections made the following report:

BOISE CITY, February 28th, 1895.

Mr. President: Your committee on privileges and elections respectfully report that they have had under consideration House Bill No. 35, by Clark, and recommend that the same do pass. Majority report.

SENATOR PARKINSON,

SENATOR ROBERTSON.

Minority report: Recommend that the same do not pass.

SENATOR BROWNE.

Senator Parkinson moved that section 15, article 3 of the Constitution and the standing rules of the Senate be suspended and House Bill No. 35 read a second time by title, a third time at length, and placed upon its final passage.

Roll called and motion lost by the following vote:

Voting aye—Senators Cunningham, Dewey, Hanrahan, Myer, Parkinson, Robertson, Rounds, Smith—8.

Voting no—Senators Boyce, Browne, Dewey, Golden, Miller, Steen, Watt, President *pro tem.*—8.

Absent—Senators Heitfeld and Rees.

House Bill No. 35 placed on calendar.

Senator Cunningham moved to place House Bill No. 35 at the head of the calendar.

Motion prevailed.

## MOTIONS AND RESOLUTIONS.

Pursuant to notice given on yesterday Senator Watt moved to reconsider the vote by which the report of the committee of the whole as to Senate Bill No. 45 was adopted

Motion lost.

Senator Dewey moved that Senate Bill No. 45 be indefinitely postponed.

Motion prevailed.

## INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 92—By Dewey. An act to provide for a license on the part of merchants or druggists selling intoxicating liquors.

Read first time and referred to committee on State affairs.

Senate Bill No. 91—By Watt. An act to annex a part of the county of Blaine to the county of Bingham.

Read a first time and referred to committee on counties and county boundaries.

## MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 1st, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 59, by Steen; also Senate Bill No. 38, by Cunningham, an act providing for the incorporation of churches and religious societies; also House Bill No. 143, by Thomas; also House Bill No. 109, by Sanders; also House Bill No. 153, by Elder, also House Bill No. 155, by Elder; also House Bill No. 156, by Elder; also Senate Bill No. 59, by Steen; also House Bill No. 66, by Bennett, which are herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 1st, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and unanimously agreed to Senate amendments to House Bill No. 2, by Wyman. Respectfully, JAMES H. GWINN, Chief Clerk.

Message from the House filed.

House Bills No. 143, 109, 153, 155, 156, 59 and 66 filed for first reading.

Senate Bills No. 38 and 59 filed and referred to enrollment committee.

The hour of 10:30 o'clock a. m. having arrived the Senate resolved itself into the committee of the whole for the purpose of considering House Bill No. 58, that having been made a special order for this day and hour.

Senator Boyce in the chair.

## REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, March 1st, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 58.

BOYCE, Chairman.

On motion of Senator Boyce the report of the committee of the whole was adopted.

Senator Bierbower moved that House Bill No. 58 be made a special order for 2:05 o'clock this afternoon.

Senator Boyce moved an amendment to the motion by making House Bill No. 58 a special order for the 7th inst. at 2 p. m.

Amendment lost.

Original motion lost.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint session called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Heitfeld.

Clerk of the House called the roll of the House.

All present except Mr. Thomas.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Messrs. Baxter and Thomas paired.

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Clagett received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Bierbower, Browne, R.S.; Brown, C. M.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

On motion of Mr. Wolters the joint assembly dissolved.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Rees took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Boyce, Day and Heitfeld.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 93—By Hanrahan. An act entitled an act to create and organize the county of Custer.

On motion of Senator Hanrahan section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 93 read a first time and second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16

Absent—Senators Heitfeld and Myer—2.

#### ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt—16.

Absent—Senators Heitfeld, President *pro tem.* Bierbower—2.

Title read and approved and bill transmitted to the House.

The President announced that he was about to sign House Bill No. 69, by McMillan.

By unanimous consent the Senate returned to the fourth order of business.

#### REPORTS OF STANDING COMMITTEES.

BOISE CITY, March 1st, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Resolution No. 5, by Day; Senate Bill No. 19, by Watt; Senate Bill No. 33, by Boyce, and Senate Bill No. 32, by Boyce, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 1:50 o'clock p. m. March 1st, 1895.

ROUNDS, Chairman.

BOISE CITY, March 1st, 1895.

Mr. President: Your committee on counties and county boundaries respectfully report that they have had under consideration Senate Bill No. 91, by Watt, and recommend that the same be printed.

PARKINSON, Chairman.

Senate Bill No. 91 referred to the committee on printing.

Committee on State affairs made the following report:

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 92, and begs leave to recommend that the same be printed.

Senate Bill No. 92 referred to the printing committee.

#### FIRST READING OF BILLS.

House Bill No. 66—By Bennett. An act amendatory of and supplementary to an act entitled an act to create the office of Inspector of Mines.

Read a first time and referred to committee on mines and mining.

House Bill No. 156—By Elder. An act to amend sections 5880 and 5882 of the Revised Statutes.

Read a first time and referred to the judiciary committee.

House Bill No. 155—By Elder. An act to amend section 4139 of the Revised Statutes.

Read a first time and referred to the judiciary committee.

House Bill No. 153—By Elder. An act to amend section 4807 of the Revised Statutes.

Read a first time and referred to the judiciary committee.

House Bill No. 143—By Thomas. An act to amend chapter 6 of title 13 of the Revised Statutes.

Read a first time by title and referred to committee on State affairs.

House Bill No. 109—By Sanders. An act to regulate the hours of labor.

Read a first time and referred to committee on mines and mining.

The hour of 2:30 o'clock p. m. having arrived the Senate resolved itself into the committee of the whole for the purpose of considering Senate Bill No. 53, that having been made a special order for this day and hour.

Senator Myer in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 1st, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 53, and recommend that the same do pass as amended. MYER, Chairman.

On motion of Senator Myer the report of the committee of the whole was adopted.

Senate Bill No. 53 read a second time, amendments ordered printed, and, when printed, ordered engrossed and filed for third reading.

Amendments to Senate Bill No. 53:

In line 10, section 2, before the word "dollars," insert the word "five," and in line 11, before the word "dollars," insert the word "one."

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

BOISE, IDAHO, March 1st, 1895.

*Mr. President and Members of the Senate:*

Gentlemen: I find upon looking over the record of bills passed and those now under consideration by your respective houses, that apparently you either have not got a copy of our Constitution before you, or, having it, you have not read it, or, having read it, you must certainly have forgotten that you and I in common, upon taking our respective positions as servants of the State, took upon ourselves a solemn, binding obligation to support its Constitution and uphold its laws. Upon inquiry at the State Auditor's office I find that proper inquiry has not been made as to the present indebtedness of the State and the limit to which legislation may be had, not exceeding that indebtedness. By reference to article 8, section 1 of our State Constitution you will find that the framers of that valuable document wisely provided that the legislature shall not in any manner create any debt or debts, liability or liabilities, which shall singly, or in the aggregate, exclusive of the debt of the territory at the date of its admission as a State, exceed the sum of  $1\frac{1}{2}$  per centum upon the assessed value of the taxes of the taxable property in the State. If that convention had gone still further and placed a limit upon the indebtedness counties might incur it would have been a fortunate act for the people, but their duty was well done so far as it went.

The question now confronts you, as members of the legislature, and myself, as the Chief Executive: First, what is  $1\frac{1}{2}$  per cent. of the assessed valuation? Second, how much further can we increase our indebtedness before reaching that limit?

Our assessed valuation, as shown by the report of the State Auditor, is a little less than \$29,000,000. One and one-half per cent. of that sum would be \$435,000, providing \$29,000,000 was the exact valuation. We

have issued since our admission as a State \$135,000 of State Wagon Road Bonds.

There are outstanding, approximately, \$30,000 unredeemed university warrants. The appropriation bill now before the House approximates \$436,000. Warrants will be issued within the year for one-half of this sum, or \$218,000. Your legislative expenses before adjournment will approximate \$32,000, for which warrants must be drawn immediately. We need \$112,500 to make the necessary improvements on the penitentiary, insane asylum and State capitol building, but, as will be seen by computing these figures, the various sums named will exceed the constitutional limit, without taking into account the appropriation for normal schools, for school of mines, or, in fact, for any other purpose. The general appropriation must be met or deficiency warrants issued, which can only be placed at a heavy discount and consequently a great loss to the State. The question which confronts you and me is a very serious one and must engage our earnest and thoughtful attention. I have thought best to thus briefly bring this constitutional provision and the figures given to your attention because you, as members of the legislature, and I, as the Chief Executive of the State, cannot infringe upon the Constitution. I have spoken of this matter to individual members of the legislature before, but judging from the numerous bills carrying appropriations with them which are being enacted into laws, my words must have been forgotten, or else the provisions of the Constitution and the obligation we have taken to support it, must be deemed of slight significance.

Respectfully submitted,

W. J. McCONNELL, Governor.

On motion of Senator Cunningham the Senate resolved itself into the committee of the whole for the consideration of the general calendar.

Senator Rounds in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 1st, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 76; and recommend it retain its place on the calendar; Senate Bill No. 56, and recommend that the same be laid on the table; House Bill No. 72, and recommend it do pass as amended; Substitute for Substitute of Senate Bill No. 25, and recommend that it do pass; Senate Bill No. 34, and recommend it retain its place on the calendar; House Joint Memorial No. 5, and recommend do pass; House Bill No. 92, and recommend do pass; House Bill No. 90, and recommend it retain its place; House Bill No. 17, and recommend do pass; House Bill No. 32, and recommend do pass.

ROUNDS, Chairman.

Senator Rounds moved that the report of the committee of the whole be adopted.

Senator Boyce asked for a separate vote on the adoption of the report of the committee of the whole as to Senate Bill No. 56.

Roll called with the following result:

Voting aye—Senators Browne, Cunningham, Day, Golden, Smith, Watt, President *pro tem.* Bierbower—7.

Voting no—Senators Boyce, Hanrahan, Miller, Rees, Robertson, Rounds, Steen—7.

The vote being a tie President Mills voted no.

Absent—Senators Dewey, Heitfeld, Myer, Parkinson—4.

Report of the committee of the whole adopted except as to Senate Bill No. 56, and—

Senate Bill No. 76 ordered to retain its place on the calendar.

House Bill No. 72 filed for second reading.

Substitute for Substitute Senate Bill No. 25 filed for second reading.

Senate Bill No. 34 retain its place on the calendar.

House Joint Memorial No. 5 filed for second reading.

House Bill No. 92 filed for second reading.

House Bill No. 90 retain its place on the calendar.

House Bill No. 17 filed for second reading.

House Bill No. 32 filed for second reading.

Senator Boyce moved that Senate Bill No. 56 retain its place on the calendar.

Senator Browne moved to adjourn.

Motion to adjourn lost.

Motion that Senate Bill No. 56 retain its place prevailed.

The President announced that he was about to sign Senate Bill No. 38, by Cunningham, and Senate Bill No. 59, by Steen.

By unanimous consent the Senate returned to the fourth order of business

#### REPORTS OF STANDING COMMITTEES.

Committee on corporations made the following report:

BOISE CITY, March 1st, 1895.

Mr. President: Your committee on corporations respectfully report that they have had under consideration House Bill No. 89, and recommend that the same do pass.

ROBERTSON, Chairman.

House Bill No. 89 placed on calendar.

Committee on highways, bridges and ferries made the following report:

Mr. President: Your committee on highways, bridges and ferries have had under consideration House Bill No. 47. and recommend the same referred to the finance committee.

MYER, Chairman.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### SATURDAY—FORTY-SIXTH DAY.

SENATE CHAMBER,

BOISE CITY, March 2d, 1895.

The Senate met pursuant to adjournment at 10 o'clock a. m.

President Mills presiding.

Roll called.

All present except Senators Browne, Hanrahan and Rees.

Prayer by chaplain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

None.

#### REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on engrossed and enrolled bills

has had under consideration Senate Bill No. 53, by Robertson, and begs leave to report the same correctly engrossed.      ROUNDS, Chairman.

Senate Bill No. 53 filed for third reading.

Committee on State affairs made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on State affairs has had under consideration House Bill No. 143, and recommend that the same do pass.

ROUNDS, Chairman.

House Bill No. 143 placed on calendar.

Committee on public lands made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on public lands has had under consideration House Bill No. 148, and recommend that the same do pass.

DAY, Chairman.

House Bill No. 148 placed on calendar.

Committee on printing made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on printing has had under consideration amendments to Senate Bill No. 53, and report the same correctly printed; also Senate Bills No. 91 and 92, and report the same correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 91 referred to committee on counties and county boundaries.

Senate Bill No. 92 referred to committee on State affairs.

Governor's message of yesterday was referred to the committee on finance.

The President stated that Mr. Kieff, the Senate enrolling clerk, had been called away and that Mrs. Kieff would act as such clerk in his place and stead during his absence.

#### MOTIONS AND RESOLUTIONS.

None.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 94—By Parkinson. An act to amend section 15 of an act entitled an act to provide for the government and maintenance of the penitentiary.

Read a first time and referred to the committee on State affairs.

#### SECOND READING OF BILLS.

House Bill No. 92—By Browne.

Read a second time and filed for third reading.

House Bill No. 72—By Johnson.

Read a second time, amendments ordered printed and filed for third reading.

Substitute for Substitute to Senate Bill No. 25.

Read a second time, ordered engrossed and filed for third reading.

House Joint Memorial No. 5—By Walker.

Read a second time and filed for third reading.

House Bill No. 17—By Hughes.

Read a second time and filed for third reading.

House Bill No. 32—By McMillan.

Read a second time and filed for third reading.

Senator Bierbower moved that the Senate take a recess subject to the call of the chair.

Motion prevailed.

RECONVENED.

By unanimous consent the Senate returned to the fourth order of business.

REPORTS OF STANDING COMMITTEES.

Committee on State affairs made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 80, by Browne, and begs leave to recommend that the same be laid on the table; also Senate Bill No. 94, by Parkinson, and recommend that it be laid on the table; also Senate Bill No. 92, and recommend that the same do pass; also Senate Bill No. 52, and report the same back without recommendation. ROUNDS, Chairman.

Senate Bill No. 94.

Senator Rounds moved that the bill be laid on the table.

Motion lost.

Senator Parkinson moved that Senate Bill No. 94 be referred to the committee of the whole.

Motion prevailed.

Senate Bill No. 94 placed on calendar.

Senate Bill No. 92 placed on calendar.

Senate Bill No. 52 placed on calendar.

Senate Bill No. 80.

On motion of Senator Rounds Senate Bill No. 80 was laid on the table.

Committee on judiciary made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on judiciary respectfully reports that it has had under consideration Senate Bill No. 86, and recommend that the same be referred to the printing committee and that it do pass.

BIERBOWER, Chairman.

Senate Bill No. 86 referred to committee on printing.

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on corporations has had under consideration Senate Bill No. 89 and recommend that the same do pass.

ROBERTSON, Chairman.

Senate Bill No. 89 placed on calendar.

Committee on finance made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on finance respectfully reports that it has had under consideration House Bill No. 95, and recommend that the same pass.

Watt, Acting Chairman.

House Bill No. 95 placed on the calendar.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senators Browne and Heitfeld.

Clerk of the House called the roll of the House.

All present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

Joint assembly roll called with the following result:

Messrs. Day and Browne, R. S., paired.

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 18 votes.

Mr. Shoup received 19 votes.

Mr. Claggett received 14 votes.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—19.

Those voting for Mr. Claggett were—Messrs. Boyce, Hanrahan, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

On motion of Mr. Elder the joint assembly dissolved.

The Senate reconvened in the Senate chamber.

On motion of Senator Dewey the Senate took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Browne and Golden.

By unanimous consent the Senate returned to the fourth order of business.

#### REPORTS OF STANDING COMMITTEES.

Committee on mines and mining made the following report:

BOISE CITY, March 2d, 1895.

Mr. President: Your committee on mines and mining has had under consideration House Bill No. 66, and recommend that the same do pass.

DEWEY, Chairman.

House Bill No. 66 placed on calendar.

#### MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 1st, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Joint Memorial No. 5; also Substitute for House Bill No. 37, by Daly, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Joint Memorial No. 5 referred to committee on enrollment.  
Substitute for House Bill No. 37 filed for first reading.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 2d, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and appointed a committee to act with a like committee from the Senate to draft a joint resolution as to the time of adjournment, and have appointed the following as such committee: Crane, Daly and McCarthy.

Respectfully, JAMES H. GWINN, Chief Clerk.

Message filed and on motion of Senator Bierbower the President of the Senate was authorized to appoint a like committee from the Senate.

The President appointed Senators Bierbower, Watt and Rees as such committee.

By unanimous consent the Senate returned to the ninth order of business.

#### INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 95—By Watt. An act to amend sections 2023, 2024 and 2025 of the Revised Statutes of Idaho relating to the duties of county recorders.

Read a first time and referred to the committee on State affairs.

House Bill No. 37 (Substitute)—By Daly. An act to provide for the organization and government of irrigating districts.

Read a first time and referred to the committee of the whole.

#### THIRD READING OF BILLS.

Senate Bill No. 53—By Robertson.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Browne and Golden.

Title read and approved and bill transmitted to the House.

Senator Dewey moved that House Bill No. 58 be laid upon the table.

Senator Bierbower moved that the Senate do now adjourn.

Motion to adjourn lost.

The question recurred on Senator Dewey's motion to lay House Bill No. 58 on the table.

Motion prevailed and House Bill No. 58 laid upon the table.

Senator Dewey moved that the Senate resolve itself into the committee of the whole for the consideration of the general calendar.

Senator Bierbower moved an amendment to the motion by moving that the Senate resolve itself into the committee of the whole for the consideration of House Bill No. 35.

Amendment prevailed and the Senate resolved itself into the committee of the whole for the purpose of considering House Bill No. 35, with Senator Cunningham in the chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

BOISE CITY, March 2d, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 35, and recommend that the same do pass.

CUNNINGHAM, Chairman.

On motion of Senator Cunningham the report of the committee of the whole was adopted.

House Bill No. 35.

On motion of Senator Rounds section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 35 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of rules was as follows:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Browne

• ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Browne.

Title read and approved and bill transmitted to the House.

The President announced that he was about to sign House Bill No. —.

Senator Parkinson moved that the Senate resolve itself into the committee of the whole for the consideration of the general calendar.

Senator Bierbower moved that the Senate do now adjourn until 10 o'clock Monday morning.

Motion to adjourn prevailed.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

MONDAY—FORTY-SEVENTH DAY.

SENATE CHAMBER,

BOISE CITY, March 4th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Boyce, Browne, Day, Heitfeld, Smith and Steen.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

None.

The President announced that he was about to sign House Bill No. 35, by Clark; House Bill No. 2, by Wyman; Senate Joint Memorial No. 5, by Browne.

REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on engrossed and enrolled bills

has had under consideration Senate Joint Resolution No. 10, by Golden, and begs leave to report the same correctly engrossed; also Substitute for Substitute for Senate Bill No. 25, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 59, by Steen, and Senate Bill No. 38, by Cunningham, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 3 o'clock p. m. March 2d, 1895.

ROUNDS, Chairman.

Senate Joint Resolution No. 10 filed for third reading.

Substitute for Substitute to Senate Bill No. 25 filed for third reading.

Committee on counties and county boundaries made the following report:

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on counties and county boundaries has had under consideration House Bill No. 96, and recommend that the same do pass.

PARKINSON, Chairman.

House Bill No. 96 placed on the calendar.

Committee on printing made the following report:

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on printing has had under consideration Senate Bill No. 86 and respectfully report the same correctly printed.

GOLDEN, Chairman.

Senate Bill No. 86 placed on calendar.

Committee on judiciary made the following report:

BOISE CITY, IDAHO, March 2d, 1895.

Mr. President: Your committee on judiciary respectfully report that they have had under consideration Senate Bill No. 84, by Boyce; Senate Bill No. 74, by Watt; Senate Bill No. 35, by Robertson; Senate Bill No. 54, by Golden; Senate Bill No. 66, by Miller, and House Bill No. 53, by Gamble; House Bill No. 153, by Elder; House Bill No. 57, by Davis; House Bill No. 23, by Neill; House Bill No. 155, by Elder; House Bill No. 156, by Elder; House Bill No. 147, by Wyman; House Bill No. 127, by Henry; House Bill No. 79, by Wyman, and your committee recommends that Senate Bills No. 84, 74 be printed and that they do pass; that Senate Bills No. 35 and 54 and recommends that the same do not pass; that House Bills No. 53, 153, 156, 127, 79, 147 and 155 do pass; that House Bill No. 57 do not pass; that House Bill No. 23 is reported back without any recommendation.

BIERBOWER, Chairman.

BOISE CITY, March 2d, 1895.

Mr. President: We, the undersigned of the judiciary committee makes majority report on Senate Bill No. 66, by Miller, and recommend the same do pass. Majority report.

BIERBOWER.

BOISE CITY, IDAHO, March 2d, 1895.

Mr. President: We, the undersigned of the judiciary committee, make a minority report on Senate Bill No. 66, by Miller, and recommend it do not pass. Minority report.

BIERBOWER.

Senate Bills No. 84 and 74 referred to the committee on printing.

Senate Bills No. 35, 54 and 66 placed on the calendar.

House Bills No. 53, 153, 57, 23, 155, 156, 147, 127, 79 placed on the calendar.

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on finance respectfully reports that it has had under consideration Senate Bill No. 88, and reports the same back without recommendation; House Bill No. 87, and recommend that the same do pass; House Bill No. 47, and reports the same back without recommendation; House Bill No. 49, and reports the same back without recommendation.

W. H. WATT, Acting Chairman.

Senate Bill No. 88 placed on the calendar.

House Bill No. 87 placed on the calendar.

House Bill No. 47 placed on the calendar.

House Bill No. 49 placed on the calendar.

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on agriculture and live stock respectfully reports that it has had under consideration House Bill No. 90, and recommend that the same do pass.

SMITH, Chairman.

House Bill No. 90 placed on calendar.

#### MOTIONS AND RESOLUTIONS.

House Bill No. 143.

On motion of Senator Rounds House Bill No. 143 was made a special order for 2:30 o'clock tomorrow.

Senate Bill No. 88.

On motion of Senator Parkinson Senate Bill No. 88 was made a special order for 10:45 o'clock this morning.

House Bill No. 58.

Senator Cunningham moved that House Bill No. 58 be taken from the table.

Roll call requested.

Roll called and motion lost by the following vote.

Voting aye—Senators Browne, Cunningham, Day, Golden, Myer, Watt, President *pro tem.* Bierbower—7.

Voting no—Senators Boyce, Dewey, Miller, Parkinson, Rees, Rounds, Steen—7.

Absent—Senators Hanrahan, Heitfeld, Robertson, Smith—4.

The vote being a tie President Mills voted no.

#### INTRODUCTION AND FIRST READING OF BILLS.

None.

#### SECOND READING OF BILLS.

None.

#### THIRD READING OF BILLS.

House Joint Memorial No. 5—By Walker.

Read for a third time and placed upon its final passage.

The President stated the question: "Shall the memorial pass?"

Roll called and the memorial passed by the following vote:

Voting aye—Senators Boyce, Browne, Day, Dewey, Golden, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Cunningham, Hanrahan, Heitfeld, Smith,—4.

Title read and approved and memorial transmitted to the House.

Substitute for Substitute for Senate Bill No. 25—By Miller.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Day, Dewey, Golden, Miller, Myer, Parkinson, Rees, Rounds, Steen, Watt, President *pro tem.* Bierbower—12.

Absent—Senators Boyce, Cunningham, Hanrahan, Heitfeld, Robertson and Smith—6.

Title read and approved and the bill transmitted to the House.

Senate Joint Resolution No. 10—By Golden

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the Resolution failed to pass by the following vote:

Voting aye—Senators Golden, Miller, Parkinson, Rees, Rounds, Steen, President *pro tem.* Bierbower—7.

Voting no—Senators Browne, Cunningham, Day, Myer, President *pro tem.* Bierbower—5.

Absent—Senators Boyce, Dewey, Hanrahan, Heitfeld, Robertson, Smith—6.

The President stated that as Senate Joint Resolution No. 10 proposed an amendment to the Constitution, and as twelve of the members had failed to vote therefor the resolution had failed to pass.

The hour of 10:45 o'clock a. m. having arrived the Senate resolved itself into the committee of the whole for the purpose of considering Senate Bill No. 88, that having been made a special order for this hour.

Senator Rees in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 4th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 88, and recommend that the same retain its place on the calendar as special order on reconvening.

JOHN E. REES, Chairman.

On motion of Senator Rees the report of the committee of the whole was adopted.

On motion of Senator Bierbower the Senate took a recess for three quarters of an hour.

#### RECONVENED.

#### MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 2d, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 47; also House Bill No. 159; also House Bill No. 152; also House Bill No. 133; also House Bill No. 154; also Senate Bill No. 31, an act to abolish the counties of Alturas and Logan and to create the county of Blaine; also Senate Bill No. 83, by Special Committee, an act creating the county of Lincoln; also Senate Bill No. 78, by Cunningham, an act relating to paving and curbing sidewalks, which are herewith transmitted. Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bills No. 47, 31, 83, 78, referred to committee on enrollment.

House Bills No. 159, 152, 133, 154, filed for first reading.

By unanimous consent the Senate returned to the ninth order of business.

## INTRODUCTION AND FIRST READING OF BILLS.

House Bill No. 152—By Elder. An act to amend section 107 of the Election Law.

Read a first time and referred to the committee on privileges and elections

House Bill No. 154—By Elder. An act to amend section 887 of the Revised Statutes.

Read a first time and referred to committee on highways, bridges and ferries.

House Bill No. 133 (Substitute)—Committee on Agriculture. An act to create the office and define the duties of State Horticultural Inspector.

Read a first time and referred to committee on State affairs.

House Bill No. 159—By Neill. An act to amend sections 1825 and 3885 of the Revised Statutes.

Read a first time and referred to committee on counties and county boundaries.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States senator.

## JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Heitfeld.

Clerk of the House called the roll of the House.

All present except Messrs. Hicks and Neill.

That portion of the journal of Saturday read and approved which related to the joint assembly.

Joint assembly roll called with the following result:

Total number of votes cast, 51.

Necessary to choice, 26.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Clagett received 12 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker and Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Clagett were—Messrs. Boyce, Hanrahan, Hughes, McCarthy, Miller, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—12.

Mr. Crane moved that the joint assembly take a recess until 3 o'clock p. m.

Mr. Wyman moved that the joint assembly do now dissolve.

Motion to dissolve prevailed.

The Senate reconvened in the Senate chamber and on motion of Senator Rees took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Mills presiding.

## ROLL CALL.

All present except Senators Boyce, Browne, Hanrahan, Heitfeld.

Quorum present.

The Senate resolved itself into the committee of the whole for the consideration of Senate Bill No. 88, special order.

Senator Rees in the chair.

## REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 4th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 88 and recommend that the same be recommitted to the finance committee with instructions to said committee to report as early as possible.

JOHN E. REES, Chairman.

On motion of Senator Rees the report of the committee of the whole was adopted and—

Senate Bill No. 88 referred to the committee on finance.

The President announced that he was about to sign Senate Bill No. 31, by Watt.

## THIRD READING OF BILLS.

House Bill No. 92—By Brown.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Hanrahan, Miller, Myer, Parkinson, Robertson, Smith, Steen, Watt and President *pro tem.* Bierbower—13.

Absent—Senators Browne, Golden, Heitfeld, Rees, Rounds—5.

Title read and approved and bill transmitted to the House.

House Bill No. 32 (Substitute)—By McMillan.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Dewey, Parkinson, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—9.

Voting no—Senators Day, Hanrahan, Miller, Myer—4.

Absent—Senators Browne, Golden, Heitfeld, Rees, Boyce—5.

Senator Rounds gave notice that he would today move to reconsider the vote by which House Bill No. 32 passed.

House Bill No. 17—By Hughes.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Browne, Day, Heitfeld—3.

Title read and approved and bill transmitted to the House.

The President announced that he was about to sign House Joint Memorial No. 5.

On motion of Senator Dewey the Senate resolved itself into the committee of the whole for the consideration of the general calendar, with Senator Watt in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 4th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 76, Senate Bill No. 56, Senate Bill No. 34, and recommend that they retain their place on the calendar; House Bill No. 90, and recommend that the same pass as amended; House Bill No. 75 and recommend it be indefinitely postponed; House Bill No. 66, and report progress and beg leave to sit again.

W. H. WATT, Chairman.

On motion of Senator Watt the report of the committee of the whole was adopted and—

Senate Bills No. 76, 56, 34 ordered to retain their place on the calendar.

House Bill No. 90 filed for second reading.

House Bill No. 75 indefinitely postponed.

House Bill No. 66 placed on the calendar.

On motion of Senator Robertson Senate Bill No. 67 was made a special order for 10:30 o'clock tomorrow morning.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 4th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 98, by Gamble, an act to amend section 4480 of the Revised Statutes of Idaho; also House Bill No. 167, by McMillan, an act to provide for the commitment of incorrigible youths to the State Reform school; also House Bill No. 160, by Walker, an act to provide for the annexation of a part of Lemhi county to Fremont county; also House Bill No. 117, by Monroe, an act to amend the Political Code in regard to county surveyors, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 98, House Bill No. 167, House Bill No. 160 and House Bill No. 117 filed for first reading.

Senator Rounds moved to reconsider the vote by which House Bill No. 32 was passed.

Motion prevailed.

Senator Rounds moved to indefinitely postpone House Bill No. 32.

Roll call requested.

Roll called and House Bill No. 32 indefinitely postponed by the following vote:

Voting aye—Senators Day, Dewey, Hanrahan, Miller, Myer, Parkinson, Rees, Rounds—8.

Voting no—Senators Boyce, Golden, Robertson, Smith, Steen, Watt, President *pro tem.* Bierbower—7.

Absent—Senators Browne, Cunningham, Heitfeld.

Senator Dewey gave notice that he would move to reconsider the vote by which House Bill No. 32 was postponed.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed the following House Bills, which have been approved by the Governor: No. 1, by Wyman; No. 6, by Wyman; No. 7, by Young; No. 8, by Wyman; No. 9, by Brown; No. 15, by Wyman; No. 16, by McMillan; No. 24, by Walker; No. 26, by Hughes; No. 46, by Wyman; No. 54, by Smith; No. 61, by Wyman; No. 73, by Neill; No. 103, by Randolph.

Respectfully, JAMES H. GWINN, Chief Clerk.

On motion of Senator Bierbower the Senate adjourned until 10 o'clock tomorrow morning.

FREDERICK J. MILLS, President.

## TUESDAY—FORTY-EIGHTH DAY.

SENATE CHAMBER,

BOISE CITY, March 5th, 1895.

Senate met at 10:30 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Browne and Heitfeld.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

None.

The President stated that he was about to sign Senate Bill No. 47; Senate Bill No. 83; House Bill No. 92.

## REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Joint Memorial No. 5, by Browne, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency the Governor at 3:30 o'clock p. m. March 4th, 1895.

ROUNDS, Chairman.

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 31, by Watt, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency the Governor at 3:30 o'clock p. m. March 4th, 1895.

ROUNDS, Chairman.

Committee on highways, bridges and ferries made the following report:

Mr. President: Your committee on highways have had under consideration House Bill No. 154 and recommend that the same pass.

MYER.

House Bill No. 154 placed on the calendar.

Committee on agriculture and live stock made the following report:

BOISE CITY, March 4th, 1895.

Mr. President: Your committee on agriculture and live stock respectfully report that they have had under consideration House Bill No. 133, Substitute for House Bills No. 76 and 120, by Committee on Agriculture and Live Stock, and recommend that the same do pass.

SMITH, Chairman.

House Bill No. 133 placed on calendar.

Committee on State affairs made the following report:

BOISE CITY, March 5th, 1895.

Mr. President: Your committee on State affairs has had under consideration Senate Bill No. 95, by Watt, and recommend that the same be printed and that it do pass.

ROUNDS, Chairman.

Senate Bill No. 95 referred to committee on printing.

Committee on mines and mining made the following report:

BOISE CITY, March 5th, 1895.

Mr. President: Your committee on mines and mining respectfully report that they have had under consideration House Bill No. 109 and make a majority and minority report.

E. H. DEWEY, Chairman.

House Bill No. 109 placed on calendar.

#### MOTIONS AND RESOLUTIONS.

Senator Dewey, pursuant to notice given on yesterday, moved to reconsider the vote by which House Bill No. 32 was indefinitely postponed.

Roll call requested.

Roll called and the Senate refused to reconsider the vote by the following vote:

Voting aye—Senators Boyce, Dewey, Golden, Robertson, Smith, Steen, Watt, President *pro tem.* Bierbower—8.

Voting no—Senators Cunningham, Day, Hanrahan, Miller, Myer, Parkinson, Rees, Rounds—8.

Absent—Senator Heitfeld.

Excused from voting—Senator Browne.

The vote being a tie President Mills voted no.

Senator Bierbower moved to take House Bill No. 58 from the table.

Roll call requested.

Roll called and House Bill No. 58 taken from the table by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Myer, Robertson, Smith, Watt, President *pro tem.* Bierbower—10.

Voting no—Senators Boyce, Hanrahan, Miller, Parkinson, Rees, Rounds, Steen—7.

Absent—Senator Heitfeld.

Senator Dewey gave notice that he would on tomorrow move to reconsider the vote by which House Bill No. 58 was taken from the table.

The point of order was raised that this being one of the six last days of the session, the notice for reconsideration was not in order.

Point of order overruled by the President on the grounds that the session of the legislature does not expire by any limitation, but only by joint agreement of the two houses consequently the President is unable to say that this is one of the last six days of the present session.

The point of order was also raised as to whether or not the Senate

could consider House Bill No. 58 pending the notice for reconsideration of the vote by which it was taken from the table.

The President ruled that the effect of the pendency of the motion for reconsideration was to suspend the effect of the vote to be reconsidered and held that action on the bill was suspended by the notice.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, March 5th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Substitute for House Bill No. 74, by Cozier, an act entitled an act to locate the College of Agriculture of the University of Idaho, which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 74 filed for first reading.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,  
BOISE CITY, March 5th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I herewith return to your honorable body Senate Bill No. 19 without my approval, for the reason that insurance companies were compelled to adopt the three-fourths clause which this act is intended to annul, as a partial preventive of incendiary fire.

Very respectfully yours, W. J. McCONNELL, Governor.

Senate Bill No. 19.

On motion of Senator Browne Senate Bill No. 19 was referred to the committee on State affairs.

EXECUTIVE OFFICE, STATE OF IDAHO,  
BOISE CITY, March 5th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 31, by Watt, that being an act to abolish the counties of Alturas and Logan and to create and organize the county of Blaine. Very respectfully yours,

W. J. McCONNELL, Governor.

EXECUTIVE OFFICE, STATE OF IDAHO,  
BOISE CITY, March 4th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have today signed the following: Senate Joint Memorial No. 5, by Browne; Senate Joint Resolution No. 5, by Day; Senate Bill No. 33, by Boyce; Senate Bill No. 38, by Cunningham; Substitute for Senate Bill No. 51, by Dewey; Senate Bill No. 59, by Stéen. Very respectfully yours, W. J. McCONNELL, Governor.

INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 96—By Watt. An act to provide for an apportionment of members of the Senate and House of Representatives of the legislature of the State of Idaho to the counties of Blaine and Lincoln.

Read a first time and on motion of Senator Watt section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 96 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17

Absent—Senator Heitfeld.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Day, Heitfeld, Robertson—3.

Title read and approved and bill transmitted to the House.

House Bill No. 74—By Cozier. An act entitled an act to locate the College of Agriculture of the University of Idaho.

Read a first time.

Senator Browne moved that House Bill No. 74 be referred to the committee on education.

Roll call requested.

And bill referred to the committee on education by the following vote:

Voting aye—Senators Browne, Cunningham, Day, Dewey, Golden, Miller, Myer, Steen, Watt—9.

Voting no—Senators Boyce, Hanrahan, Parkinson, Rees, Robertson, Rounds, Smith.—7.

Absent—Senators Heitfeld and President *pro tem.* Bierbower.

House Bill No. 117—By Monroe. An act to amend sections 2067, 2068 and 2072 of article 9, of title 2, of chapter 3 of the Political Code of the Revised Statutes.

Read a first time and referred to committee on counties and county boundaries.

House Bill No. 98—By Gamble. An act to amend section 4480 of the Revised Statutes of Idaho.

Read a first time and referred to committee on finance.

House Bill No. 160—By Walker. An act to provide for the annexation of a part of Lemhi county to Fremont county and to submit the question of annexation to a vote of the people.

Read a first time and referred to committee on counties and county boundaries.

House Bill No. 167—By McMillan. An act to provide for the commitment of incorrigible youths to the reform school.

Read a first time and referred to the committee on State affairs.

The Senate resolved itself into the committee of the whole for the consideration of Senate Bill No. 67, that having been made a special order for this day and hour.

Senator Parkinson in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 5th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 67, and recommend that the same be indefinitely postponed.

PARKINSON, Chairman.

On motion of Senator Bierbower the report of the committee of the whole was adopted.

## SECOND READING OF BILLS.

House Bill No. 90—By Wyman.

Read a second time and placed on calendar.

## THIRD READING OF BILLS.

House Bill No. 72—By Johnson.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed as amended by the following vote:

Voting aye—Senators Boyce, Browne, Day, Dewey, Golden, Hanrahan, Miller, Myer, Parkinson, Rees, Rounds, Steen, Watt—13.

Absent—Senators Cunningham, Heitfeld, Robertson, Smith, President *pro tem.* Bierbower—5.

Title read and approved and the bill transmitted to the House.

On motion of Senator Dewey the Senate resolved itself into the committee of the whole for the consideration of House Bill No. 66, with Senator Watt in the chair.

## REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 5th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 66, and recommend that the same pass.

W. H. WATT, Chairman.

Senator Watt moved the adoption of the report of the committee of the whole.

Motion prevailed.

House Bill No. 66 filed for second reading.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

## JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present.

Clerk of the House called the roll of the House.

All present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

The Speaker announced that the election of a United States Senator was in order.

Joint assembly roll called with the following result:

Total number of votes cast, 54.

Necessary to a choice, 28.

Mr. Sweet received 19 votes.

Mr. Shoup received 20 votes.

Mr. Crook received 15 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Myer, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—19.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower,

Brown, C. M.; Browne R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Vance, Wyman, Watt—20.

Those voting for Mr. Crook were—Messrs. Boyce, Hanrahan, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—15.

Mr. Wyman moved that the joint assembly proceed to ballot for a United States Senator.

Mr. Crane moved that the joint assembly dissolve.

Motion to dissolve prevailed.

#### RECONVENED.

Senate reconvened in the Senate chamber and on motion of Senator Steen took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Browne, Day and Robertson.

On motion of Senator Watt the Senate resolved itself into the committee of the whole for the consideration of House Bill No. 95.

Senator Steen in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 5th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 95 and recommend that the same do pass.

J. E. STEEN, Chairman.

On motion of Senator Watt the report of the committee of the whole was adopted.

House Bill No. 95 filed for second reading.

The President announced that he was about to sign—

Senate Bill No. 78—By Cunningham.

Also House Bill No. 17—By Hughes.

The hour of 2:30 o'clock p. m. having arrived the Senate resolved itself into the committee of the whole for the purpose of considering House Bill No. 143, that having been made a special order for this day and hour.

Senator Cunningham in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 5th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 143, and recommend that the same do pass.

CUNNINGHAM, Chairman.

On motion of Senator Cunningham the report of the committee of the whole was adopted.

On motion of Senator Rounds section 15, article 3 of the Constitution and the standing rules of the Senate were suspended, and House Bill No. 143 read a second time by title, a third time at length and placed upon its final passage.

The vote suspending the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem*. Bierbower—17.

Absent—Senator Browne.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Browne.

Title read and approved and the bill transmitted to the House.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 5th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 87, by the Joint Irrigation Committee; also House Joint Resolution No. 10, by Bennett; also Senate Bill No. 39, by Cunningham, which are herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

Senate Bills No. 87 and 39 referred to committee on enrollment.

House Joint Resolution No. 10 filed for first reading.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 5th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Concurrent Resolution No. 10, fixing time of adjournment of third session of Idaho legislature, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Concurrent Resolution No. 10—By Crane.

*Be it resolved by the House of Representatives, the Senate concurring,* That the third session of the legislature of the State of Idaho shall stand adjourned *sine die*, at and after twelve o'clock noon, Saturday, March 9th, 1895.

On motion of Senator Cunningham the Senate concurred in House Concurrent Resolution No. 10, fixing the time of adjournment of the third session of the Idaho legislature.

House Bill No. 95.

On motion of Senator Watt section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 95 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—17.

Absent—Senator Browne.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Dewey, Golden, Hanrahan, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—13.

Voting no—Senators Boyce, Day, Parkinson—3.

Absent—Senators Browne and Cunningham—2.

Title read and approved and bill transmitted to the House.

✓ By unanimous consent the Senate returned to the fourth order of business.

#### REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 5th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 78, by Cunningham; Senate Bill No. 47, by Browne, and Senate Bill No. 85, by Special Committee, Day, chairman, and begs leave to report the same correctly enrolled and signed by the President and the Speaker of the House, and delivered to his excellency the Governor at 3 o'clock p. m. March 5th, 1895.

ROUNDS, Chairman.

Committee on counties and county boundaries made the following report:

BOISE CITY, March 5th, 1895.

Mr. President: Your committee on counties and county boundaries has had under consideration Senate Bill No. 91, by Watt, and report the same back without recommendation.

PARKINSON, Chairman.

Senate Bill No. 91 placed on calendar.

House Bill No. 47.

On motion of Senator Day House Bill No. 47 was made a special order for 10:30 o'clock tomorrow morning.

Senator Dewey made a motion to go into committee of the whole.

Senator Rees moved to adjourn until 10 o'clock tomorrow morning.

Motion to adjourn prevailed.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### WEDNESDAY—FORTY-NINTH DAY.

SENATE CHAMBER,

BOISE CITY, March 6th, 1895.

The Senate met at 10 o'clock a. m. pursuant to adjournment

President Mills presiding.

Roll called.

All present except Senator Browne.

Quorum present.

Prayer by chaplain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

None.

#### REPORTS OF STANDING COMMITTEES.

Committee on counties and county boundaries made the following report:

BOISE CITY, March 6th, 1895.

Mr. President: Your committee on counties and county boundaries has had under consideration House Bill No. 160, and recommend that the same pass.

PARKINSON, Chairman.

House Bill No. 160 placed on calendar.

Committee on State affairs made the following report:

BOISE CITY, March 6th, 1895.

Mr. President: Your committee on State affairs has had under consideration House Bill No. 167, and report the same back without recommendation.

ROUNDS, Chairman.

House Bill No. 167 placed on calendar.

Committee on printing made the following report:

BOISE CITY, March 6th, 1895.

Mr. President: Your committee on printing has had under consideration Senate Bill No. 74 and House Bill No. 84, and respectfully report the same correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 74 placed on calendar.

House Bill No. 84 placed on the calendar.

#### FIRST READING OF BILLS.

House Joint Resolution No. 10—By Bennett. To submit to the electors of the State of Idaho an amendment to section 6 of article 18 of the Constitution with regard to separating the offices of county school superintendent and probate judge.

Read a first time and referred to the committee on privileges and elections.

#### SECOND READING OF BILLS.

House Bill No. 66—By Bennet.

Read a second time and filed for third reading.

#### THIRD READING OF BILLS.

House Bill No. 90—By Wyman.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Watt—12.

Absent—Senators Boyce, Browne, Day, Hanrahan, Steen, President *pro tem*. Bierbower—6.

Title read and approved and bill transmitted to the House.

On motion of Senator Dewey Senate Bill No. 90 was made a special order for 11 o'clock this a. m.

Senator Cunningham moved that for today the first section of rule 20 of the standing rules of the Senate be suspended.

Motion prevailed.

The Senate resolved itself into the committee of the whole for the consideration of House Bill No. 47, that having been made a special order for this day and hour (10:30 a. m.)

Senator Dewey in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 6th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 47, and recommend that the same do pass.

E. H. DEWEY, Chairman.

On motion of Senator Dewey the report of the committee of the whole was adopted.

On motion of Senator Day section 15, article 3 of the Constitu-

tion and the standing rules of the Senate were suspended and House Bill No. 47 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Day, Golden, Heitfeld, Miller, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Hanrahan and Parkinson.

The President announced that he was about to sign Senate Bill No. 39, by Cunningham.

The hour of 11 o'clock a. m. having arrived the Senate resolved itself into the committee of the whole for the consideration of Senate Bill No. 90, that having been made a special order for this hour.

Senator Myer in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 6th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 90, and recommend that the same pass.

MYER, Chairman.

On motion of Senator Myer the report of the committee of the whole was adopted.

Senate Bill No. 90 read a second time, ordered engrossed and filed for third reading.

House Bill No. 47.

Read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Day, Golden, Heitfeld, Miler, Rees, Robertson, Smith, Steen, Watt, President *pro tem.* Bierbower—11.

Voting no—Senator Myer.

Absent—Senators Browne, Cunningham, Dewey, Hanrahan, Parkinson, Rees—6.

Title read and approved and bill transmitted to the House.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, March 5th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 47, by Browne, and Senate Bill No. 78, by Cunningham. Very respectfully yours.

W. J. McCONNELL, Governor.

On motion of Senator Boyce the Senate resolved itself into the committee of the whole for the consideration of House Bill No. 23.

Senator Golden in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 6th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 23, and report progress and ask leave to sit again.

G. D. GOLDEN, Chairman.

On motion of Senator Golden the report of the committee of the whole was adopted.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 6th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 157, by Joint Committee on Revenue; also Senate Bill No. 17, by Golden, amended by House; also for House Bills No. 80 and 101; also Substitute for Senate Bill No. 93, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bill No. 157 filed for first reading.

Senate Bill No. 17. Amendments concurred in and ordered enrolled.

Substitute House Bills No. 80, 101, filed for first reading.

Senate Bill No. 93 read a first time by unanimous consent.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

## JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Hanrahan.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

The Speaker announced that the election of a United States Senator was in order.

Joint assembly roll called with the following result:

Total number of votes cast, 53.

Necessary to choice, 27..

Mr. Shoup received 21 votes.

Mr. Sweet received 18 votes.

Mr. Crook received 14 votes.

No choice.

Those voting for Mr. Sweet were—Messrs. Bennett, Clark, Crane, Day, Henry, Hunt, Monroe, Parkinson, Robertson, Rowton, Rounds, Smith, Gilbert; Smith, John L.; Thomas, Thompson, Verbeck, Walker, Young, N. H.—18.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Cowden, Cunningham, Cozier, Daly, Davis, Dewey, Elder, Fletcher, Glenn, Golden, Gamble, Johnson, McMillan, Myer, Vance, Wyman, Watt—21.

Those voting for Mr. Crook were—Messrs. Boyce, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring, Young, James D.—14.

Mr. Wyman moved to proceed to ballot for a United States Senator.

Mr. Crane moved to dissolve the joint assembly.

Motion to dissolve prevailed.

## RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Bierbower took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senator Hanrahan.

The Senate resolved itself into the committee of the whole for the consideration of the general calendar.

Senator Myer in chair.

## REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 6th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 23, and recommend that the same go over until tomorrow. MYER, Chairman.

On motion of Senator Myer the report of the committee of the whole was adopted.

## MESSAGE FROM THE HOUSE.

OFFICE OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

BOISE CITY, IDAHO, March 6th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 151, an act to amend section 23 of an act defining the duties of the State Board of Land Commissioners, to provide for the selection, location, protection, sale, rental and general management of the public lands of the State arising from the sale and leasing of such lands, approved February 26th, 1891, which is herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 151 filed for first reading.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, March 6th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 42, by Boyce, that being an act to amend section 1401 of the Revised Statutes of Idaho as amended by act of March 6th, 1893.

Very respectfully yours,

W. J. McCONNELL, Governor.

Senator Bierbower moved that the Senate resolve itself into the committee of the whole for the consideration of House Bill No. 58.

Senator Dewey raised the point of order that House Bill No. 58 was not subject to motion at the present time; action being suspended during the pendency of a motion to reconsider in accordance with his notice of yesterday.

The point of order was sustained by the President, who held that the notice to reconsider could be made any time today and pending such motion further action by the Senate on House Bill No. 58 was suspended.

From this decision, Senator Bierbower appealed.

After debate, participated in by Senators Bierbower, Cunningham, Dewey and Boyce, the decision of the President was sustained by the Senate.

On motion of Senator Boyce the Senate resolved itself into the committee of the whole for the consideration of the general calendar, with Senator Watt in the chair.

## REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 6th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration Senate Bill No. 76, and recommend it retain its place on the calendar; Senate Bill No. 56, and recommend that the same do pass; Senate Bill No. 34, and recommend it be indefinitely postponed; House Bill No. 146, and recommend it be indefinitely postponed; Senate Bill No. 14, and recommend it be indefinitely postponed; House Bill No. 89, and recommend it retain its place on the calendar; Senate Bill No. 92 and recommend it be indefinitely postponed; House Bill No. 37, and recommend that it go over until tomorrow; Senate Bill No. 52, and recommend it be indefinitely postponed.

W. H. WATT, Chairman.

On motion of Senator Watt the report of the committee of the whole was adopted, and—

Senate Bill No. 76 ordered to retain its place on the calendar.

Senate Bill No. 56 filed for second reading.

Senate Bill No. 34 indefinitely postponed.

House Bill No. 146 indefinitely postponed.

Senate Bill No. 14 indefinitely postponed.

House Bill No. 89 retains its place on the calendar.

Senate Bill No. 92 indefinitely postponed.

House Bill No. 37 ordered to go over until tomorrow.

Senate Bill No. 52 indefinitely postponed.

The President announced that he was about to sign Senate Bill No. 87 and Senate Bill No. 17.

By unanimous consent the Senate returned to the fourth order of business.

## REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 6th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 90, by Dewey, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 90 filed for third reading.

BOISE CITY, March 6th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 39, by Cunningham, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 3:30 o'clock p. m. March 6th, 1895.

ROUNDS, Chairman.

By unanimous consent the Senate returned to the ninth order of business.

## INTRODUCTION AND FIRST READING OF BILLS.

Senate Bill No. 97—By Cunningham. An act to amend sections 4 and 7 of an act approved March 2d, 1893, entitled an act to establish a Soldiers' Home.

Read a first time and on motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 97 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Rounds, Steen, President *pro tem.* Bierbower—9.

Voting no—Senators Heitfeld, Miller, Rees, Smith—4.

Absent—Senators Hanrahan, Myer, Parkinson, Robertson, Watt—5.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Parkinson, Rees, Rounds, Steen and President *pro tem.* Bierbower—13.

Absent—Senators Hanrahan, Myer, Robertson, Smith, Watt—5.

Title read and approved and bill transmitted to the House.

Senate Bill No. 90.

On motion of Senator Dewey section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 90 read a third time at length and placed upon its final passage.

The vote on the suspension of rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Parkinson, Rees, Rounds, Steen, President *pro tem.* Bierbower—13.

Absent—Senators Hanrahan, Myer, Robertson, Smith, Watt—5.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Parkinson, Rees, Rounds, Smith, Steen, President *pro tem.* Bierbower—14.

Absent—Senators Hanrahan, Myer, Robertson, Watt—4.

Title read and approved and bill transmitted to the House.

House Bill No. 157—By Joint Committee on Revenue. An act relating to revenue and amending certain sections of the Political Code, etc.

Read a first time. and on motion of Senator Browne, was made a special order for 10:30 o'clock tomorrow morning.

House Bill No. 87 made a special order to follow immediately after House Bill No. 157.

House Bill No. 53 made a special order to follow immediately after House Bill No. 87.

On motion of Senator Rees the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

THURSDAY—FIFTIETH DAY.

SENATE CHAMBER,

BOISE CITY, March 7th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Day, Hanrahan, Myer, Robertson, Smith, Watt.

Quorum present.

Prayer by the chaplain.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

None.

REPORTS OF STANDING COMMITTEES.

Committee on rules made the following report:

Mr. President: Your committee on rules beg leave to report, recommending that section 3 of rule 20 be amended to read as follows: "After the reference of a bill, as provided for in the preceding section of this rule, any Senator may call for the report of the committee required in said section, and unless excused by the Senate the committee shall make report."

CUNNINGHAM, Chairman.

On motion of Senator Rounds the amendment to section 3 of rule 20 was adopted.

Committee on printing made the following report:

BOISE CITY, March 7th, 1895.

Mr. President: Your committee on printing respectfully report that they have had under consideration Senate Bill No. 95, and that the same has been correctly printed.

G. D. GOLDEN, Chairman.

Senate Bill No. 95 placed on calendar.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 6th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 96, an act to provide for an apportionment of members of the Senate and House of Representatives of the legislature of the State of Idaho to the counties of Blaine and Lincoln; also Substitute for Senate Bill No. 7, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

Senate Bill No. 96 referred to committee on enrollment.

Substitute Senate Bill No. 7 referred to committee on enrollment.

MOTIONS AND RESOLUTIONS.

Senator Dewey moved that House Bill No. 58 be laid upon the table.

Motion to lay upon the table prevailed.

Senator Dewey moved to reconsider the vote by which House Bill No. 58 was laid upon the table.

Senator Dewey moved to lay "the motion to reconsider the vote by which House Bill No. 58 was laid upon the table" on the table.

Motion to lay the "motion to reconsider" on the table prevailed.

FIRST READING OF BILLS.

House Bill No. 151—By Wyman. An act to amend section 23 of an act defining the duties of the State Board of Land Commissioners to provide for the selection, location, protection, sale, rental and general management of the public lands of the State arising from the sale and leasing of such lands, approved February 26th, 1891.

Read a first time and placed on the calendar.

Substitute for House Bills No. 80 and 101—By Judiciary Committee.

An act amending sections 4 and 23 of the act to regulate the sale of intoxicating liquors, approved February 6th, 1891.

Read a first time and placed upon the calendar

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO.

BOISE CITY, March 7th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day appointed as regents of the Idaho State University for the ensuing two years the following named gentlemen: W. W. Watkins, Moscow; A. J. Green, Moscow; C. W. Shaff, Lewiston; C. L. Heitman, Rathdrum; W. E. Borah, Boise; Sherman Coffin, Caldwell; J. F. Ailshie, Grangeville; William Budge, Paris, and John Donaldson, St. Anthony.

Hoping that these appointments will meet with your approval, I am, very respectfully yours, W. J. McCONNELL, Governor.

On motion of Senator Browne the gentlemen named as regents of the Idaho State University were confirmed.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, March 7th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day appointed the following named gentlemen to act as trustees of the Idaho Insane Asylum for the ensuing two years: Frank P. Cavanah, Boise; Frank R. Gooding, Shoshone, and George P. Rogers, Blackfoot.

Hoping that these appointments will meet with your approval, I am, very respectfully yours, W. J. McCONNELL, Governor.

On motion of Senator Bierbower the gentlemen appointed as trustees of the Idaho Insane Asylum were confirmed.

SECOND READING OF BILLS.

Senate Bill No. 56.

Read a second time and ordered engrossed.

House Bill No. 157.

Read a second time and passed for third reading.

MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 7th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed over the Governor's veto, by a two-thirds vote, House Bill No. 110, by Crane, which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 7th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 68, by a two-thirds vote of the House over the Governor's veto, "an act providing for the issue of State bonds for the State Normal schools," which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

Senate Bill No. 17 taken under consideration.

By unanimous consent the House amendments thereto concurred in and the bill ordered enrolled.

House amendments to Senate Bill No. 17:

In line 6 of section 1 insert after the word "thereof," the words "or in case he cease to labor thereon before the completion thereof, then after he so ceases to labor."

Amend by striking out section 5.

The hour of 12 o'clock m. having arrived the Senate proceeded in a body to the House of Representatives to ballot for a United States Senator.

#### JOINT SESSION.

Joint assembly called to order by Mr. Cozier, Speaker of the House. Secretary of the Senate called the roll of the Senate.

All present except Senator Hanrahan.

Clerk of the House called the roll of the House.

All present.

Quorum present.

That portion of the journal of yesterday relating to the joint assembly was read and approved.

The Speaker announced that the election of a United States Senator was in order.

The joint assembly roll was called with the following result:

Total number of votes cast, 53.

Necessary to a choice, 27.

Mr. Sweet received 12 votes.

Mr. Shoup received 27 votes.

Mr. Crook received 14 votes.

Those voting for Mr. Sweet were—Messrs. Bennett, Crane, Day, Henry, Hunt, Monroe, Robertson, Rowton, Smith, Gilbert; Thompson, Verbeck and Young, N. H.—12.

Those voting for Mr. Shoup were—Messrs. Baxter, Bierbower, Brown, C. M.; Browne, R. S.; Clark, Cowden, Cozier, Cunningham, Daly, Davis, Dewey, Elder, Fletcher, Gamble, Glenn, Golden, Johnson, McMillan, Myer, Parkinson, Rounds, Smith, John L.; Thomas, Vance, Walker, Watt and Wyman—27.

Those voting for Mr. Crook were—Messrs. Boyce, Heitfeld, Hicks, Hughes, McCarthy, Miller, Neill, Randolph, Rees, Sanders, Steen, Wolters, Waring and Young, James D.—14.

The Speaker announced that as George L. Shoup had received a majority of all the votes cast he declared him duly elected United States Senator for the State of Idaho for the term of six years from March 4th, 1895.

Senator Bierbower moved the joint assembly take a recess until 3 o'clock p. m.

Motion prevailed.

#### RECONVENED.

The Senate reconvened in the Senate chamber and on motion of Senator Dewey took a recess until 2 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met at 2 o'clock p. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Browne, Hanrahan, Myer, Parkinson, Smith and Watt.

House Bill No. 157. Amendments adopted and ordered engrossed.  
Amendments to House Bill No. 157:

Whenever in sections 18, 19 and 20 the words "second Monday in January" occur, strike these words and insert the words "first Monday in January."

In section 34, line 5, strike out the words "all licenses now or hereafter provided by law."

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 157 read a third time at length and placed upon its final passage.

The vote on suspension of rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Parkinson, Rees, Robertson, Rounds, Smith, Steen, President *pro tem.* Bierbower—15.

Absent—Senators Hanrahan, Myer and Watt—3.

ON PASSAGE.

House Bill No. 157.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Day, Dewey, Golden, Heitfeld, Miller, Parkinson, Rees, Robertson, Rounds, Smith, Steen, President *pro tem.* Bierbower—14.

Absent—Senators Browne, Hanrahan, Myer, Watt—4.

Title read and approved and bill transmitted to the House.

The President stated that he was about to sign Senate Bill No. 96, by Watt, and House Bill No. 90, by Wyman.

The hour of 3 o'clock p. m. having arrived the Senate proceeded in a body to the House of Representatives.

JOINT SESSION.

Joint assembly called to order by the Speaker of the House.

Secretary of the Senate called the roll of the Senate.

All present except Senator Hanrahan.

Clerk of the House called the roll of the House.

All present except Messrs. Crane, Johnson, Verbeck.

That portion of the journal of today relating to the joint assembly was read and approved.

Mr. Bierbower moved that the joint assembly do now dissolve.

Motion prevailed.

RECONVENED.

The Senate reconvened in the Senate chamber.

Senator Day moved that the Senate do now adjourn until 10 o'clock tomorrow morning.

Motion lost.

Senator Rounds moved that in pursuance to the rule adopted this morning amending section 3, of rule 20, that the committee on education be instructed to report House Bill No. 74 forthwith.

Motion lost.

Senator Day moved that the privileged question, the executive communication relative to veto of certain bills, be now considered.

Motion prevailed.

House Bill No. 110—By Crane, vetoed by the governor.

The President stated the question: "Shall the bill pass notwithstanding the veto of the Governor?"

Roll called and the bill passed by a two-thirds vote, as follows:

Voting aye—Senators Day, Golden, Heitfeld, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—11.

Voting no—Senators Boyce, Browne, Cunningham, Dewey—4.

Absent—Senators Hanrahan, Miller, Myer—3.

House Bill No. 110 transmitted to the House.

House Bill No. 68, vetoed by the Governor.

The President stated the question: "Shall the bill pass notwithstanding the veto of the Governor?"

Roll called and the bill passed by a two-thirds vote, as follows:

Voting aye—Senators Boyce, Day, Dewey, Heitfeld, Miller, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt—12

Voting no—Senators Browne, Cunningham, Golden, Myer, President *pro tem.* Bierbower—5.

Absent—Senator Hanrahan.

House Bill No. 68 transmitted to the House.

On motion of Senator Day the Senate adjourned until 10 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### FRIDAY—FIFTY-FIRST DAY

SENATE CHAMBER,

BOISE CITY, March 8th, 1895.

Senate met at 10 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Prayer by the chaplain.

Roll called.

All present except Senators Day and Hanrahan.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

None.

#### REPORTS OF STANDING COMMITTEES.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 7th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 17, by Golden, and Senate Bill No. 87, by the Joint Irrigation Committee, Cunningham, chairman, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 11:10 o'clock a. m. March 7th, 1895.

ROUNDS, Chairman.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 56, by Boyce, and begs leave to report the same correctly engrossed.

ROUNDS, Chairman.

Senate Bill No. 56 filed for third reading.

Committee on rules made the following report:

Mr. President: Your committee on rules beg leave to report recom-

mending that section 4 of rule 22 be abrogated and that all bills on the calendar be considered as standing on second reading.

CUNNINGHAM, Chairman.

Committee on counties and county boundaries made the following report:

BOISE CITY, March 8th, 1895.

Mr. President: Your committee on counties and county boundaries report that they have had under consideration House Bills No. 159 and 117, and report the same back without recommendation.

PARKINSON, Chairman.

House Bills No. 159 and 117 placed on the calendar.

Committee on privileges and elections made the following report:

BOISE CITY, March 8th, 1895.

Mr. President: Your committee on privileges and elections respectfully report that they have had under consideration House Bill No. 152 and House Joint Resolution No. 10, and report the same back without recommendation.

PARKINSON, Chairman.

House Bill No. 152 and House Joint Resolution No. 10 placed on the calendar.

#### MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 7th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed over the Governor's veto by a two-thirds vote House Bill No. 69, by McMillan, which is herewith transmitted. Respectfully,

JAMES H. GWINN, Chief Clerk.

House Bill No. 69, vetoed by the Governor.

The President stated the question: "Shall the bill pass notwithstanding the veto of the Governor?"

Roll called and the bill failed to pass by the following vote:

Voting aye—Senators Golden, Heitfeld, Rees, Steen, President *pro tem*. Bierbower—5.

Voting no—Senators Cunningham, Dewey, Miller, Myer, Parkinson, Robertson, Rounds, Smith, Watt—9.

Absent—Senators Boyce, Browne, Day, Hanrahan—4.

House Bill No. 69 transmitted to the House.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, March 7th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 17, by Golden; Senate Bill No. 39, by Cunningham, and Senate Bill No. 87, by the Joint Irrigation Committee. Very respectfully yours,

W. J. McCONNELL, Governor.

The President announced that he was about to sign House Bill No. 47, by Rowton; House Bill No. 143, by Thomas, and Substitute for Senate Bill No. 7, by Browne.

On motion of Senator Browne the Senate resolved itself into the committee of the whole for the consideration of the general calendar.

Senator Watt in the chair.

## REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 8th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 87, and recommend that the same do pass; House Bill No. 53, and recommend it do pass; House Bill No. 37, and recommend it do pass; House Bill No. 48, and recommend that it do pass as amended; House Bill No. 96, and recommend that it do pass; also Senate Bills No. 76, 94, 89, and House Bill No. 89, and recommend that they retain their places on the calendar.

W. H. WATT, Chairman.

Report of the committee of the whole adopted, and—

House Bill No. 87 read a second time and filed for third reading.

House Bill No. 53 read a second time and filed for third reading.

House Bill No. 37 read a second time and filed for third reading.

House Bill No. 48 read a second time and filed for third reading.

House Bill No. 96 read a second time and filed for third reading.

House Bill No. 89 retain place on calendar.

Senate Bills No. 76, 94 and 89 retain their places on the calendar.

The President announced that he was about to sign certificate to House Bill No 110, by Crane:

This bill having been returned by the Governor with his objections thereto, and after reconsideration has passed both houses by a two-thirds vote, it has become a law this 7th day of March, A. D. 1895, which endorsements, signed by the Speaker of the House and the President of the Senate, is a sufficient authentication thereof.

R. V. COZIER, Speaker of the House.

FREDERICK J. MILLS, President of the Senate.

On motion of Senator Browne the Senate took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

The Senate met at 2 o'clock p. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Day and Hanrahan.

The President announced that he was about to sign House Bill No. 72.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 8th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Joint Resolution No. 9, by Wolters, to submit to the electors of the State of Idaho, for approval or rejection an amendment to section 3, of article 6, of the Constitution, relating to suffrage; also Senate Bill No. 90, by Dewey, an act to create the office of Sheep Inspector, etc., passed by a unanimous vote; also House Bill No. 111, by Browne; also House Bill No. 51, by Thompson; also Senate Bill No. 29, by Boyce; also Substitute for House Bill No. 137, by Neill, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Joint Resolution No. 9 filed for first reading.

House Bills No. 111, 51 filed for first reading.

Substitute House Bill No. 137 filed for first reading.

Senate Bills No. 90 and 29 referred to committee on enrollment.

The President announced that he was about to sign certificate to House Bill No. 68:

This bill having been returned by the Governor with his objections thereto, and after reconsideration has passed both houses by a two-thirds vote, it has become a law, this 7th day of March, A. D. 1895, which indorsements, signed by the Speaker of the House and President of the Senate, is a sufficient authentication thereof.

R. V. COZIER, Speaker of the House.

FREDERICK J. MILLS, President of the Senate.

House Bill No. 53.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 53 read a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Smith, Steen, Watt—13

Voting no—Senators Browne, Rounds, President *pro tem.* Bierbower—3.

Absent—Senators Day and Hanrahan—2.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt—13.

Voting no—Senators Browne, Rounds, President *pro tem.* Bierbower—3.

Absent—Senators Day and Hanrahan—2.

Title read and approved and bill transmitted to the House.

Substitute House Bill No. 37.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Substitute for House Bill No. 37 read a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan, Myer—3.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Parkinson, Rees—4.

Title read and approved and bill transmitted to the House.

House Bill No. 48.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended, and

House Bill No. 48 read a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Parkinson, Rees, Smith, Steen—11.

Voting no—Senators Myer, Watt, President *pro tem.* Bierbower—3

Absent—Senators Day, Hanrahan, Robertson, Rounds—4.

Senator Browne moved that House Bill No. 48 be recommitted to the committee of the whole.

Motion prevailed.

On motion of Senator Browne the Senate resolved itself into the committee of the whole for the consideration of House Bill No. 48.

Senator Rounds in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 8th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 48, and recommend that the same.

ROUNDS, Chairman.

On motion of Senator Rounds the report of the committee of the whole was adopted.

House Bill No. 87.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 87 read a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Steen—12.

Voting no—Senator Watt.

Absent—Senators Day, Hanrahan, Parkinson, Smith, President *pro tem.* Bierbower—5.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Steen, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan, Smith—3.

Title read and approved and bill transmitted to the House.

On motion of Senator Browne the Senate took a recess for twenty minutes.

RECONVENED.

The President stated that he was about to sign Senate Bill No. 29, by Boyce.

House Bill No. 96.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 96 read a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Smith, Steen, Watt and President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan, Rounds—3.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Day and Hanrahan—2.

Title read and approved and the bill transmitted to the House.

Substitute Senate Bill No. 93.

On motion of Senator Cunningham, section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Substitute Senate Bill No. 93 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—12.

Voting no—Senators Boyce, Heitfeld, Miller, Rees—4.

Absent—Senators Day and Hanrahan—2.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Senator Boyce moved to strike out the enacting clause in Substitute Senate Bill No. 93.

Roll call requested.

Roll called with the following result:

Voting aye—Senators Boyce, Heitfeld, Miller, Rees, Smith—5.

Voting no—Senators Browne, Cunningham, Dewey, Golden, Myer, Parkinson, Robertson, Rounds, Steen, Watt, President *pro tem.* Bierbower—11.

Absent—Senators Day and Hanrahan—2.

Motion to strike out enacting clause lost.

The President stated the question: "Shall Substitute for Senate Bill No. 93 pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—12.

Voting no—Senators Boyce, Heitfeld, Miller, Rees,—4.

Absent—Senators Day and Hanrahan—2.

Title read and approved and bill transmitted to the House.

On motion of Senator Dewey House Bill No. 66 read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—16.

Absent—Senators Day and Hanrahan—2.

Title read and approved and bill transmitted to the House.

House Joint Resolution No. 9.

Senator Boyce moved that section 15, article 3 of the Constitution and the standing rules of the Senate be suspended and House Joint Resolution No. 9 read a first and second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Dewey, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Steen, Watt—10.

Voting no—Senators Browne, Cunningham, Golden, Robertson, Smith, President *pro tem.* Bierbower—6.

Absent—Senators Day and Hanrahan—2.

The motion not having received a two-thirds vote was declared lost.

On motion of Senator Heitfeld Senate Bill No. 56 was read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pass?"

Roll called and the bill failed to pass by the following vote:

Voting aye—Senators Boyce, Heitfeld, Miller, Rees, Steen—5.

Voting no—Senators Browne, Cunningham, Golden, Myer, Rounds, Smith, Watt, President *pro tem.* Bierbower—8.

Absent—Senators Day, Dewey, Hanrahan, Parkinson, Robertson—5.

By unanimous consent committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 8th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Substitute for Senate Bill No. 7, by Browne, and Senate Bill No. 96, by Watt, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 2:40 o'clock p. m. March 8th, 1895.

ROUNDS, Chairman.

Senator Dewey moved to read Substitute for House Bills No. 80 and 101 the first time by title.

Motion prevailed by a two-thirds vote.

Senator Dewey moved that the Senate resolve itself into the committee of the whole for the consideration of Substitute for House Bills No. 80 and 101.

Motion prevailed by a two-thirds vote.

Senator Rounds in the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 8th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration and recommend that the same, Substitute for House Bills No. 80 and 101, do pass. ROUNDS, Chairman.

On motion of Senator Rounds the report of the committee of the whole was adopted.

Substitute for House Bills No. 80 and 101.

On motion of Senator Dewey section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Substitute for House Bills No. 80 and 101 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden,

Heitfeld, Miller, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Voting no—Senator Myer—1.

Absent—Senators Day, Hanrahan, Parkinson—3.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Voting no—Senator Myer—1.

Absent—Senators Day, Hanrahan, Parkinson—3.

Title read and approved and bill transmitted to the House.

On motion of Senator Boyce the Senate took a recess until 7 o'clock p. m.

EVENING SESSION.

Senate met at 7 o'clock p. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Day, Hanrahan and Parkinson.

By unanimous consent the committee on rules made the following report:

Mr. President: Your committee on rules report and recommend that section 1 of rule 27 be abrogated. CUNNINGHAM, Chairman.

On motion of Senator Cunningham the report of the committee on rules was adopted and section 1 of rule 27 abrogated.

House Bill No. 98.

By unanimous consent House Bill No. 98 was read a first time and filed for the second reading.

House Bill No. 151—By Wyman.

By unanimous consent House Bill No. 151 was read a first time and placed on calendar.

House Joint Resolution No. 9—By Wolters.

Read a first time and filed for second reading.

House Bill No. 111—By Browne.

Read a first time.

Senator Boyce moved to indefinitely postpone.

Motion lost.

House Bill No. 111 placed on the calendar.

Substitute for House Bill No. 137—By Neill.

Read a first time and placed on calendar.

Substitute for House Bill No. 51—By Thompson.

Read a first time and on motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Substitute for House Bill No. 51 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan and Parkinson—3.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Parkinson, Rounds—4.

Title read and approved and bill transmitted to the House.

SECOND READING OF BILLS.

House Joint Resolution No. 9—By Wolters.

Read a second time and filed for third reading.

House Bill No. 98—By Gamble.

Read a second time and filed for third reading.

MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 8th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 122, by McMillan; House Bill No. 125, by Crane; House Bill No. 162, by McMillan, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bills No. 122, 125 and 162 filed for first reading.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 8th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Joint Resolution No. 9, by Wolters, to submit to the electors of the State of Idaho for approval or rejection an amendment to section 3, of article 6 of the Constitution relating to suffrage; also Senate Bill No. 90, by Dewey, an act to create the office of Sheep Inspector, etc., passed by a unanimous vote; also House Bill No. 111, by Brown; also House Bill No. 51, by Thompson; also Senate Bill No. 29, by Boyce; also Substitute for House Bill No. 137, by Neill, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bills No. 90 and 29 referred to committee on enrollment.

House Bills No. 111, 51, filed for first reading.

Substitute for House Bill No. 137 filed for first reading.

House Joint Resolution No. 9 filed for first reading.

THIRD READING OF BILLS.

House Bill No. 133.

On motion of Senator Miller, section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 133 read a first and second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan, Parkinson—3.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Heitfeld, Miler, Myer, Robertson, Rounds, Smith, Steen, Watt and President *pro tem.* Bierbower—13.

Voting no—Senator Boyce—1.

Absent—Senators Day, Hanrahan, Parkinson, Rees—4.

Title read and approved and bill transmitted to the House.

House Bill No. 148.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 148 read a first time and second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Heitfeld, Robertson, Rounds, Smith, Watt and President *pro tem.* Bierbower—13.

Voting no—Senators Boyce, Heitfeld, Miller, Rees, Steen—5.

Absent—Senators Day, Hanrahan, Parkinson—3.

## ON PASSAGE.

Senator Boyce moved to strike out the enacting clause in House Bill No. 148.

Motion lost.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Heitfeld, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—9.

Voting no—Senators Boyce, Heitfeld, Miller, Myer, Rees, Steen—5.

Absent—Senators Day, Hanrahan, Parkinson—3.

Title read and approved and bill transmitted to the House.

House Bill No. 152.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 152 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Heitfeld, Myer, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—11.

Voting no—Senators Boyce, Heitfeld, Rees, Steen—4.

Absent—Senators Day, Hanrahan and Parkinson—3.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Parkinson, Rounds—4.

Title read and approved and bill transmitted to the House.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 152 read a second time by title, a third time at length and placed upon its final passage.

Bill No. 153 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Parkinson and Steen—4.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Watt and President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Parkinson, Steen—4.

Title read and approved and bill transmitted to the House.

House Bill No. 154.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 154 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Parkinson, Steen—4.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote.

Voting aye—Senators Boyce, Browne, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Cunningham, Day, Hanrahan, Parkinson—4.

Title read and approved and bill transmitted to the House.

House Bill No. 155.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 155 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt—15.

Absent—Senators Day, Hanrahan and Parkinson—3.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Boyce, Day, Hanrahan, Parkinson—4.

Title read and approved and bill transmitted to the House.

House Bill No. 156.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and H. Bill No. 156 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Gold, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, and President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan, Parkinson—3.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Gold, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, and President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan, Parkinson—3.

Title read and approved and bill transmitted to the House.

House Bill No. 162.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and H. Bill No. 162 read a first and second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Gold, Heitfeld, Miller, Meyer, Rees, Robertson, Rounds, Smith, Steen, and President *pro tem.* Bierbower—15.

Absent—Senators Day, Hanrahan, Parkinson—3.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Gold, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, Watt, and President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Heitfeld, Parkinson—4.

Title read and approved and bill transmitted to the House.

House Bill No. 23.

On motion of Senator Boyce section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 23 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Golden, Miller, Myer, Rees, Robertson, Rounds, Watt—10.

Voting no—Senators Dewey and Steen—2.

Absent—Senators Day, Hanrahan, Heitfeld, Parkinson, and President *pro tem.* Bierbower—6.

ON PASSAGE.

The President stated the question: "Shall the Bill pass?"

Roll called and the bill passed by the following vote.

Voting aye—Senators Boyce, Cunningham, Golden, Myer, and Robertson, Rounds, Steen, Watt—9.

Voting no—Senators Browne, Dewey, Heitfeld, Miller, Smith, and President *pro tem.* Bierbower—6.

Absent—Senators Day, Hanrahan, Parkinson—3.

Senator Steen gave notice that he would during the evening session move to reconsider the vote by which House Bill No. 23 passed.

Senate Bill No. 89.

On motion of Senator Watt section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 89 read a second time by title and a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Golden, Heitfeld, Miller, Myer, Rees, Smith, Steen, Watt—10.

Voting no—Senators Cunningham, Dewey, Rounds, President *pro tem.* Bierbower—4.

Absent—Senators Day, Hanrahan, Parkinson and Robertson—4.

Senator Dewey moved to recommit Senate Bill No. 89 to the committee of the whole.

Motion prevailed.

House Joint Resolution No. 10.

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Joint Resolution No. 10 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Steen, President *pro tem.* Bierbower—13.

Voting no—Senator Dewey—1.

Absent—Senators Day, Hanrahan, Parkinson, Watt—4.

#### ON PASSAGE.

The President stated the question: "Shall the resolution pass?"

Roll called and the resolution passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Watt, President *pro tem.* Bierbower—13.

Absent—Senators Day, Hanrahan, Parkinson, Smith, Steen—5.

Title read and approved and resolution transmitted to the House.

Senator Steen moved to reconsider the vote by which House Bill No. 23 was passed.

Senator Boyce moved to lay the motion to reconsider on the table. Motion lost.

Motion to reconsider prevailed.

Senator Steen moved to indefinitely postpone House Bill No. 23.

The vote on the postponement being a tie, President Mills voted "aye," and House Bill No. 23 was indefinitely postponed.

House Bill No. 125.

By unanimous consent read a first time by title.

Senator Browne moved to consider House Bill No. 125 in the Senate, the same as if considered in the committee of the whole.

Motion prevailed.

Senator Bierbower moved that the amendments proposed by the Senate, sitting as a committee of the whole, be adopted.

Motion prevailed.

Senate amendments to House Bill No. 125:

Under subdivision "militia," clerk hire in Adjutant General's office, one hundred and sixty dollars and ten cents (\$160.10.)

Second amendment:

Under subdivision, Mining Inspector's office, strike out the words "salary from January 1st to March 15th, two hundred and fifty dollars (\$250.00), and insert after word "inspector," twenty-four hundred dollars. And line ninety-three to read as follows: Mileage, clerk hire and printing, four thousand dollars (\$4,000.00.)

Third amendment:

Between lines ninety-seven and ninety-eight insert a new subdivision: State Engineer's office.

Salary of State Engineer, four thousand dollars (\$4,000.00).

Salary and per diem of assistants, three thousand dollars (\$3,000).

Traveling expenses, one thousand dollars (\$1,000.00).

Instruments, books and stationery, eight hundred dollars (\$800.00).

On motion of Senator Browne section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 125 read a second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Parkinson, Steen—4.

#### ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Myer, Robertson, Rounds, Smith, Steen, Watt, President *pro tem.* Bierbower—11.

Voting no—Senators Boyce, Heitfeld, Miller, Rees—4.

Absent—Senators Day, Hanrahan, Parkinson—3.

Title read and approved and bill transmitted to the House.

The President announced that he was about to sign House Bills No. 157, 87, 53, 96, Substitute for House Bill No. 37, Substitute for House Bills No. 80 and 101, and Senate Bill No. 90.

On motion of Senator Browne the Senate adjourned until 9 o'clock tomorrow morning.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.

#### SATURDAY—FIFTY-SECOND DAY.

SENATE CHAMBER,

BOISE CITY, March 9th, 1895.

The Senate met at 9 o'clock a. m. pursuant to adjournment.

President Mills presiding.

Roll called.

All present except Senators Day and Hanrahan.

Journal of yesterday read and approved.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 164, by Clark; also Senate Bill No. 75, with amendments, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

On motion of Senator Cunningham the House amendments to Senate Bill No. 75 were concurred in by the Senate.

House Bill No. 164 filed for first reading.

House Bill No. 137.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 137 read a first and second time by title, a third time at length and placed upon its final passage.

The vote on the suspension of the rules was as follows:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Watt, President *pro tem* Bierbower—14.

Absent—Senators Day, Hanrahan, Robertson, Steen—4.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Watt, President *pro tem*. Bierbower—14.

Absent—Senators Day, Hanrahan, Robertson, Steen—4.

Title read and approved and bill transmitted to the House.

House Bill No. 98.

By unanimous consent was read a third time and placed upon its final passage.

The President stated the question: "Shall the bill pas?"

Roll called and bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Steen, Watt, President *pro tem*. Bierbower—15.

Absent—Senators Day, Hanrahan, Robertson—3.

Title read and approved and bill transmitted to the House.

The President announced that he was about to sign House Joint Resolution No. 10, House Substitute for Senate Bill No. 93, House Bills No. 162, 156, 155, 154, 148, 153.

House Bill No. 164.

On motion of Senator Dewey section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 164 was read a first and second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Watt, President *pro tem*. Bierbower—13.

Absent—Senators Browne, Day, Hanrahan, Robertson, Steen—5.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Watt, President *pro tem.* Bierbower—13.

Absent—Senators Browne, Day, Hanrahan, Robertson, Watt—5.

Title read and approved and the bill transmitted to the House.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, March 9th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 29, by Boyce, and Senate Bill No. 90, by Dewey, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency the Governor at 9:30 o'clock, March 9th, 1895.

ROUNDS, Chairman.

BOISE CITY, March 9th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 65, by Cunningham; Senate Bill No. 32, by Steen; Senate Bill No. 68, by Rounds; Senate Bill No. 75, by Joint Irrigation Committee, Cunningham, chairman; Substitute for Substitute for Senate Bill No. 25, by Miller, and Senate Bill No. 57, by Rounds, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House, and delivered to his excellency the Governor at 11:35 o'clock a. m. March 9th, 1895.

ROUNDS, Chairman.

Senate Bill No. 89.

On motion of Senator Watt section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Bill No. 89 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Cunningham, Dewey, Golden, Myer, Parkinson, Rees, Rounds, Smith, Watt, President *pro tem.* Bierbower—10.

Voting no—Senators Boyce, Heitfeld and Miller—3.

Absent—Senators Browne, Day, Hanrahan, Robertson and Steen—5.

## ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Cunningham, Dewey, Golden, Myer, Parkinson, Rees, Watt—7.

Voting no—Senators Boyce, Heitfeld, Miller, Smith, President *pro tem.* Bierbower—5.

Absent—Senators Browne, Day, Hanrahan, Robertson, Rounds, and Steen—6.

Title read and approved and bill transmitted to the House.

House Bill No. 160.

On motion of Senator Rees section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 160 read a second time by title, a third time at length and placed upon its final passage.

The vote on suspension of rules was as follows:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Rounds, Smith, Watt and President *pro tem.* Bierbower—13.

Absent—Senators Browne, Day, Hanrahan, Robertson, Steen—5.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Rees, Robertson, Smith, Steen, Watt and President *pro tem.* Bierbower—13.

Absent—Senators Boyce, Day, Hanrahan, Parkinson, Rounds—5.

Title read and approved and bill transmitted to the House.

MESSAGES FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 68, an act to amend section 4304 of the Revised Statutes of the State of Idaho; also Senate Bill No. 65, an act requiring prisoners in the county jails to perform manual labor and defining the duties of the county commissioners and sheriffs in connection therewith; also Senate Bill No. 32, an act to amend sections 35, 36 and 37 of an act entitled an act to establish a system of free schools, approved March 11th, 1893, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

Senate Bills No. 68, 65 and 32 referred to committee on enrollment.

OFFICE OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and agreed to Senate amendments No. 1 and 3 of House Bill No. 125, and disagreed to Senate amendment No. 2 of House Bill No. 125, which is herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

On motion of Senator Dewey the Senate receded from its amendment No. 2 of House Bill No. 125.

Senator Bierbower moved that the President be authorized to appoint a committee of three to wait upon the Governor and inform him that the Senate is about to adjourn *sine die*.

Motion prevailed and the President appointed Senators Bierbower, Rees and Watt as such committee.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and failed to pass Senate Bill No. 63, which is herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

MOTIONS AND RESOLUTIONS.

Senate Joint Resolution No. 12—By Cunningham.

WHEREAS, Certain capitol building bonds issued under authority and by virtue of the provisions of the act of the legislature of the Ter-

ritory of Idaho, approved February 2d, 1885, are soon to become payable at the option of the State, and

WHEREAS, A large fund available for the payment of said bonds has been accumulated in the State Treasury; therefore be it—

*Resolved*, That the State Treasurer is hereby directed, and it is made his express duty to give notice of the redemption of such of said bonds as there is money in the treasury to redeem as provided in said act and to redeem any and all of said bonds at the earliest possible day.

Neglect or failure to comply with this resolution on the part of the State Treasurer shall be deemed malfeasance in office, and shall render the Treasurer liable therefor on his official bond.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and Senate Joint Resolution No. 12 was read a first and second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Smith, Steen, Watt, President *pro tem*. Bierbower—14.

Absent—Senators Browne, Day, Hanrahan, Rounds—4.

#### ON PASSAGE.

The President stated the question: "Shall the resolution pass?"

Roll called and the resolution passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Smith, Steen, President *pro tem*. Bierbower—14.

Absent—Senators Day, Hanrahan, Rounds and Watt—4.

Title read and approved and resolution transmitted to the House.

#### MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,  
BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 57, by Rounds, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bill No. 57 referred to the committee on enrollment.

#### MESSAGE FROM THE GOVERNOR.

BOISE CITY, IDAHO, March 8th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Substitute for Senate Bill No. 7, by Browne.

Very respectfully yours,

W. J. McCONNELL, Governor.

House Bill No. 122 was taken under consideration by unanimous consent.

On motion of Senator Bierbower section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 122 read a first and second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Boyce, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Smith, Steen, Watt, President *pro tem*. Bierbower—15.

Absent—Senators Browne, Day and Hanrahan—3.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Boyce, Browne, Cunningham, Dewey, Golden, Heitfeld, Miller, Myer, Parkinson, Rees, Robertson, Rounds, Watt, President *pro tem.* Bierbower—14.

Absent—Senators Day, Hanrahan, Smith, Steen—4.

Title read and approved and bill transmitted to the House.

House Bill No. 111.

Senator Bierbower moved to suspend section 15, article 3 of the Constitution and the standing rules of the Senate, and that House Bill No. 111 be read a second time by title, a third time at length and placed upon its final passage.

Motion lost by the following vote, two-thirds having failed to vote for suspension of the rules:

Voting aye—Senators Browne, Cunningham, Dewey, Myer, Robertson, Rounds, Watt, President *pro tem.* Bierbower—8

Voting no—Senators Boyce, Golden, Heitfeld, Miller, Parkinson, Rees—6.

Absent—Senators Day, Hanrahan, Smith, Steen—4.

On motion of Senator Dewey the Senate resolved itself into the committee of the whole for the consideration of House Bill No. 111.

Senator Golden in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

BOISE CITY, March 9th, 1895.

Mr. President: Your committee of the whole respectfully report that they have had under consideration House Bill No. 111, and recommend that the same be indefinitely postponed.

G. D. GOLDEN, Chairman.

On motion of Senator Golden the report of the committee of the whole was adopted and House Bill No. 111 indefinitely postponed.

By unanimous consent the following resolution was introduced and adopted by a unanimous vote of the Senate:

*Resolved*, That the thanks of this Senate are due and are hereby tendered to Lieutenant Governor F. J. Mills for the able, honorable and impartial manner in which he has presided over the deliberations of this Senate during the session now drawing to a close. And the members of the Senate hereby express their high acknowledgment and warm appreciation of the uniform kindness and courtesy at all times extended to Senators individually as well as collectively.

Resolution ordered spread upon the journal.

By unanimous consent the following resolutions were introduced by Senator Browne, and adopted by a unanimous vote of the Senate and ordered spread upon the journal.

*Resolved*, That the thanks of the Senate are hereby extended to the officers and employees of the Senate, individually and collectively, for their uniform courtesy and efficiency in the performance of their duties.

*Resolved*, That the Senate hereby extends thanks to the Merchants' Protective Association and citizens of Boise City for the many courtesies extended to this body.

*Resolved*, That the Senate hereby extends thanks to the press of

Idaho for their promptness in publishing the proceedings of the legislature.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed Senate Bill No. 25, by Miller, which is herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

Senate Bill No. 25 referred to the committee on enrollment.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, March 9th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: I have this day signed Senate Bill No. 75, by the Joint Irrigation Committee; also Senate Bill No. 90, by Dewey.

Very respectfully yours, W. J. McCONNELL, Governor.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed House Bill No. 40, an act to discourage the further increase of alien population in this State; also House Bill No. 168, by Special Committee; also House Bill No. 138, by Crane, which are herewith transmitted.

Respectfully, JAMES H. GWINN, Chief Clerk.

House Bills No. 40 and 168 filed for first reading.

House Bill No. 138, by Crane. To provide for the———of State bonds.

On motion of Senator Cunningham section 15, article 3 of the Constitution and the standing rules of the Senate were suspended and House Bill No. 138, by Crane, read a first and second time by title, a third time at length and placed upon its final passage.

The vote on suspension of the rules was as follows:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—11.

Voting no—Senators Boyce, Heitfeld, Miller, Rees, Steen—5.

Absent—Senators Day and Hanrahan—2.

ON PASSAGE.

The President stated the question: "Shall the bill pass?"

Roll called and the bill passed by the following vote:

Voting aye—Senators Browne, Cunningham, Dewey, Golden, Myer, Parkinson, Robertson, Rounds, Smith, Watt, President *pro tem.* Bierbower—11.

Voting no—Senators Boyce, Miller, Rees—3.

Absent—Senators Day, Hanrahan, Heitfeld, Steen—4.

Title read and approved and bill transmitted to the House.

By unanimous consent the following resolution was introduced and adopted by a unanimous vote of the Senate, ordered spread upon the journal and transmitted to the House of Representatives.

*Be it resolved*, That the Senate extends congratulations to the House of Representatives upon the courteous relations, which have existed between the two branches of this legislature during the present session.

By unanimous consent Senate Concurrent Resolution No. 6 was introduced, read a first time and passed under a suspension of the rules by a unanimous vote of the Senate, ordered spread upon the journal in full and transmitted to the House.

Senate Concurrent Resolution No. 6.

*Be it resolved by the Senate, the House of Representatives concurring*: That the thanks of the legislature of the third session be extended to his excellency the Governor for his uniform courtesy and ability in his relations with this session of the Idaho legislature.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and passed the following resolution by Thompson:

WHEREAS, The third legislature of the State of Idaho is about to adjourn *sine die*,

*Resolved*, That the House of Representatives extends to the Senate congratulations upon the courteous manner with which we have been treated by them. Respectfully, JAMES H. GWINN, Chief Clerk.

The committee heretofore appointed to wait upon the Governor report with a message from his excellency the Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, March 9th, 1895.

*Officers and Members of the Idaho Legislature, Boise, Idaho:*

Gentlemen: As the hour has arrived when you are about to adjourn *sine die* and return to your respective homes and private duties, I desire to tender to you my sincere thanks for the able and valuable service you have rendered the State. You have disagreed with me in some minor points, and have failed to enact into laws some measures which I believe would have been of great benefit to our people, but your failure to act on these measures has been more than overbalanced by the numerous important reforms you have instituted. When the excitement incident to the disappointment, which some must feel owing to the defeat of their favored candidate for the United States Senate and the measures which they deemed of great importance, has subsided and the people have had time to weigh the actions of the third session of the Idaho legislature, I believe they will concur with me in awarding to you the praise which you deserve. Very respectfully yours,

W. J. McCONNELL, Governor.

Message ordered spread upon the journal.

The President announced that he was about to sign House Bills No. 133, 152, 164, 125, 98, 160, 122, 138 and Substitute for House Bill No. 51; also Senate Bills No. 57, 75 and 32.

Committee on engrossed and enrolled bills made the following report:

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: Your committee on engrossed and enrolled bills has had under consideration Senate Bill No. 65, by Cunningham; Senate

Bill No. 32, by Steen; Senate Bill No. 68, by Rounds; Senate Bill No. 75, by the Joint Irrigation Committee, Cunningham, chairman; Substitute for Substitute for Senate Bill No. 25, by Miller, and Senate Bill No. 57, by Rounds, and begs leave to report the same correctly enrolled and signed by the President of the Senate and the Speaker of the House and delivered to his excellency the Governor at 11:35 o'clock a. m. March 9th, 1895. ROUNDS, Chairman.

## MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES,

BOISE CITY, IDAHO, March 9th, 1895.

Mr. President: I am instructed to inform your honorable body that the House of Representatives has had under consideration and agreed to Senate Concurrent Resolution No. 6; also Senate Joint Resolution No. 12, which are herewith transmitted.

Respectfully,

JAMES H. GWINN, Chief Clerk.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, STATE OF IDAHO,

BOISE CITY, March 9th, 1895.

*Mr. President and Members of the Senate, Idaho Legislature:*

Gentlemen: Under the provisions of Senate Bill No. 75, I have this day appointed Hon. F. J. Mills to the office of State Engineer. Hoping my selection will meet with your approval, I am, very respectfully yours,

W. J. McCONNELL, Governor.

On motion of Senator Cunningham the appointment of Hon. F. J. Mills as State Engineer was confirmed by a unanimous vote of the Senate.

A committee from the House of Representatives consisting of Messrs. Wyman, Thomas and McCarthy appeared at the bar of the Senate and informed the Senate that the House had completed its labors, and knew of no reason why the legislature should not now adjourn without day.

After congratulatory remarks by Senators Bierbower and Rees and the Lieutenant Governor, the Senate, on motion of Senator Bierbower, adjourned *sine die*.

J. M. WELLS, Secretary.

FREDERICK J. MILLS, President.